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NOVELISTIC ELEMENTS IN THE WRITINGS OF FLAVIUS JOSEPHUS

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PREFACE

The present study is an attempt to clarify some particular problems in connection with the writings of Flavius Josephus. He has, in many respects, shared the fate which the Bible has suffered at the hands of its readers, especially of those who are professionally engaged in interpreting the Sacred Scriptures. The reason for this similarity is probably the fact that the writings of Josephus have survived mainly because of their closeness to the beginnings of Christianity. It has been largely Christians who have read this author, whose books frequently were the only ones besides the Bible on many a shelf.

For many centuries the narratives of Josephus were taken at their face value, and it has been only in more recent generations that scholars have exercised their critical faculties on these books. Besides textual studies, source criticism soon began to occupy the center of attention. Although students agree on many details, it is generally recognized that Josephus' main source in the latter passages of his work is Nicolas of Damascus. Besides him, many other sources have been either identified or postulated. Thackeray's detailed work on the style of Josephus led him to the theory that only very little of the

present text can be ascribed to Josephus himself, most of it being the work of several assistants. The picture thus presented was almost chaotic; it seemed that, just as in the case of the Bible, the literary critics had overstepped their mark.

A fresh approach was first attempted by the Giessen historian, Richard Laqueur, who claimed that different points of view found in the writings of Josephus indicate a change of outlook on the part of the author, not necessarily a change in the source material used. It was Martin Braun who first placed the Jewish historian into the general framework of Hellenistic literature of the first century after Christ. His work was mainly concerned with Josephus' paraphrase, or, as the author himself calls it, translation, of the Biblical history. Braun showed ho Josephus sometimes departs considerably from his Old Testament source and introduces novelistic elements into his narrative which are frequently erotic in character.

The present study is an attempt to examine those parts of the Bellum Iudaicum and the Antiquities of Josephus which deal with the post-Biblical period, in order to see whether there, similar novelistic passages are also found. Because this paper is of a preliminary nature, it will deal only with certain examples which can be said to be especially representative of this type of literary production. An effort will be made to check widely different parts of the

two writings concerned, sections usually ascribed to different sources and/or literary assistants. If such a check should yield positive results, it would have definite bearing on the question, how great was the actual share of Josephus in the composition of his works.

Direct indebtedness to published works is indicated in the footnotes. Care has been taken to make the references to the passages in ancient works as complete as possible. The select bibliography mentions those works which were found most useful for the preparation of this paper.

The text of Josephus used is that of Niese; translations, unless otherwise noted, are by the writer.

The material offered in this paper is merely an indication of the work that can, and has to, be done along this particular line. If a larger number of criteria, as sharply defined as possible, could be developed, it might be possible to apply them to the disputed passages of the so-called Slavonic Josephus. However, it must be noticed that the linguistic differences involved make such a comparative study more difficult and less conclusive; this is especially true if the Slavonic material has to be studied in a Western translation. It is for these reasons that the Slavonic material has been excluded from this study.

The late Professor Ralph Marcus of the University of Chicago first introduced the writer to the study of

Josephus. To him, his teaching and guidance the present study owes its existence. The Chairman of the Department of New Testament and Early Christian literature, Professor Allen P. Wikgren, encouraged the writer to continue his studies in Josephus and helped through his valuable advice. Professor Robert M. Grant, of the Federated Theological Faculty and the Department of New Testament and Early Christian Literature, and Professor Mortimer Chambers, of the Classics Department, have contributed much through their helpful suggestions and constructive criticism. The shortcomings and errors that remain are solely the responsibility of the writer.

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CHAPTER I

JOSEPHUS -- HIS LIFE AND HIS WRITINGS

Sketch of His Life

Our main sources for the life of Josephus are his own writings, especially the Vita and the Bellum Iudaicum. We also find an article on him in the Suda and a reference in Eusebius,[1] where it is stated that a statue of the Jewish historian was erected in the city of Rome. The name itself is found in different spellings; the original form evidently was Ἰώσηπος, which is frequently found as Ἰώσηππος or Ἰώσιππος, rarely also as Ἰώσιπος. Later, Christian scribes introduced the spelling Ἰωσήφ, which was later changed to Ἰώσηφος. The Latin forms of the name are Iosepus, Ioseppus, or Iosippus. But already in the ninth century the form Iosephus can be found, which is still used in the modern languages.[2] After Vespasian had freed Josephus in the year 69 A.D., the latter gratefully added the emperor's nomen to his own.

Josephus was born as the son of Matthias, a member of a priestly family, in A.D. 37/38, during the first year of the

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[1]Eusebius The Ecclesiastical History iii. 9-10.
[2]B. Niese, ed., Flavii Iosephi Opera (2nd ed.; Berlin: Weidmann, 1955), I, v. n. 1.

reign of Caligula. Our author claims that his family was related with that of the Hasmonean high priests.[3] Together with his brother Matthias, the boy Josephus received a thorough schooling at Jerusalem. We need not take too seriously his claim that the high priests and leading men of Jerusalem consulted the fourteen year old lad on important matters of the Law and were impressed by his great learning;[4] but Josephus could hardly have published such a claim without having the reputation of actually knowing the Law of his fathers. He further tells us that at the age of sixteen he studied the three main sects of contemporary Judaism, the Pharisees, Sadducees, and Essenes,[5] and that three years later he joined the Pharisees, whom he compared with the Greek Stoics.

In the year 64 he undertook his first journey to the political capital of the world, Rome. He was able to win the favor of Poppaea and thus to free some imprisoned fellow-Jews. But this journey had further effects: Josephus had thus graduated as a young politician, he had proved to his countrymen that he was able to represent their interests before their Roman lords.

It is not surprising, then, that at the outbreak of the great revolt in the year 66 he was made commander of the Jewish forces in Galilee.[6] He managed to defend the fortress

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[3] Ant. xvi. 187.
[4] Vita 9.
[5] Vita 11. G. Hölscher (RE, IX, 1936) doubts the accuracy of this statement.
[6] Bellum Iudaicum ii. 568; Vita 29.

of Jotapata for about six weeks, and after its fall in the spring of 67 he was taken prisoner by the Romans. When he was led before Vespasian, he played the role of a prophet sent by God and predicted that Vespasian would be emperor and that his son Titus would succeed him in this office.[7] He thus secured for himself preferred treatment, and when his prophecy came true in the year 69, Vespasian set him free. He remained in the camp of Titus and was employed as an interpreter during the siege of Jerusalem. His activities on the Roman side sometimes endangered his life.[8] After the end of the war he settled in Rome, where he enjoyed special privileges and wrote his books.

The exact date of his death is unknown. His Vita was written after the death of Agrippa II;[9] if we accept the statement of Photius[10] that Agrippa died in the year 100, Josephus must have lived well into the first decade of the second century. However, in spite of Schürer's endorsement of this date,[11] other scholars of great repute have denied its accuracy. The Vita is closely connected with Antiquities;[12]

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[7] Bell. Iud. iii. 399 ff.

[8] Bell. Iud. v.114, 261, 325, 362, 375, 541; vi. 94, 129, 365; Vita 416.

[9] Vita 359.

[10] Photius Bibliotheca cod. 33.

[11] E. Schürer, Geschichte des Jüdischen Volkes im Zeitalter Jesu Christi (3rd and 4th eds.; Leipzig: Hinrich, 1901), I, 77.

[12] Eusebius H. E. iii. 10. 9-11 introduces a quotation of Vita 361-364 with ὡς ἐπ' αὐτοῦ τῆς Ἀρχαιολογίας τοῦ τέλους φωνὰς κτλ ; cf. Niese, I, p. v.

accordingly, Hölscher[13] and Stählin[14] argue that the Vita must have been written during the reign of Domitian and that, consequently, Agrippa's death must have occurred in 93/94. On this basis, the death of Josephus should probably be dated shortly after that of Domitian (96 A.D.), during the last years of the first century A.D.

His Writings

Josephus was a very productive author who during his years of leisure in Rome kept his pen and those of his assistants busy. Four of the writings associated with his name are genuine: Bellum Iudaicum, Vita, Jewish Antiquities, and Contra Apionem.

Bellum Iudaicum. -- The Bellum Iudaicum is the most carefully composed of his books. The work was originally written in Josephus' "native tongue,"[15] either Hebrew or Aramaic, and designed for "barbarians." This Semitic version of the work is lost, although Berendts[16] claimed that the Slavonic edition of the Bellum Iudaicum represents a secondary translation, via the Greek, of this lost work. The same was claimed by R. Eisler.[17] It is, indeed, true that the Slavonic

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[13] Hölscher, col. 1941, n.

[14] O. Stählin, Die hellenistisch-jüdische Litteratur (offprint from W. v. Christ, Griechische Litteraturgesdichte, part II, 1st half, [6th ed.; Munich: Beck, 1921]), 593, n. 1.

[15] τῇ πατρίῳ , Bell. Iud. i. 3.

[16] A. Berendts in A. Harnack, ed., Texte und Untersuchungen, N. F. vol. XIV.

[17] R. Eisler, Ἰησοῦς βασιλεὺς οὐ βασιλεύσας (2 vols.; Heidelberg: Winter, 1929/30).

translation shows certain peculiarities which can be best explained by a Semitic original.[18] Because the present study will not be concerned with the so-called Christological passages in the Slavonic Josephus, this short mention of it may be sufficient.

The title of the work is formed in the Roman manner.[19] When Josephus refers to this work in his other writings, he calls it: ὁ Ἰουδαϊκὸς πόλεμος.[20] This, according to Laqueur, does not mean "the War of the Jews," but "the War against the Jews"; Thackeray points out the parallel to Caesar's De bello Gallico. One later manuscript (codex Parisinus bibliothecae nationalis inter graecos nro. 1425, eleventh or twelfth century)[21] gives the name as Ἰουδαϊκοῦ πολέμου πρὸς Ῥωμαίους. All the other manuscripts mentioned by Niese use the title περὶ ἁλώσεως; this name can also be found in Jerome,[22] according to whom it goes back to Josephus himself. Eisler claims two different steps in the composition of the work: (1) around 71 A.D. Josephus published a simple account in Greek of the war and the capture of Jerusalem under the title Halosis; (2) under Domitian an extensive revision of the original version was published as the Bellum Iudaicum.[23]

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[18] H. St. J. Thackeray, Josephus, the Man and the Historian (New York: Jewish Institute of Religion Press, 1929), p. 33.

[19] R. Laqueur, Der jüdische Historiker Flavius Josephus (Giessen: v. Münchow, 1920), p. 98; Thackeray, p. 30.

[20] Ant. i. 203; xx. 258. Vita 27, 412.

[21] Niese, VI, v.

[22] Comm. in Isaiam, ch. 64.

[23] R. Eisler, I, xl.

Internal evidence permits an approximate dating of the work. In Bell. Iud. vii. 158, Josephus mentions the temple of Peace as completed, and Dio Cassius[24] dates its dedication in 75 A.D. According to Contra Apionem 51 the author presented the work to Vespasian and Titus, the former of whom died in 79 A.D.

Jewish Antiquities. -- The Jewish Antiquities are Josephus' counterpart to the Roman Antiquities by Dionysius of Halicarnassus, as one can see from a comparison of the two works. The titles are similar; the Ῥωμαϊκὴ ἀρχαιολογία is followed by the Ἰουδαϊκὴ ἀρχαιολογία; and Josephus also followed his model by dividing his work into twenty books. Josephus begins with the creation of the world and describes the history of his nation down to the time of Nero; he leans heavily on different sources, first upon the Bible and later on several different historians, especially Strabo and, above all, Nicolas of Damascus. The present study will show that in spite of his great indebtedness to his sources, Josephus did not fail to impress upon the entire work some characteristics of his own.

Book xviii of the Antiquities contains the famous testimonium Flavii Josephi. The passage is found in all extant manuscripts and is mentioned by Eusebius,[25] and its

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[24] Dio. Cass. lxvi. 15.

[25] H. E. i. 11. 7f: Demonstr. ev. iii. 5. 105f.; Theoph. v. 44.

genuineness was never doubted until the sixteenth century. Since then, however, a number of scholars have rejected it as an interpolation. Among modern scholars, Schürer,[26] Stählin,[27] and Norden[28] reject it, while its most outstanding modern defender was A. Harnack.[29]

According to Ant. xx. 267, the work was completed during the thirteenth year of the reign of Domitian and the fifty-sixth year of the author's life, i. e. in 93/94.

Laqueur believes that Josephus published two different versions of the Antiquities. He rejects the attempt of Hölscher and Stählin to maintain the unity of the Antiquities and the Vita by denying the accuracy of Photius' statement about the death of Agrippa II, just as he rejects Schürer's thesis that the two works of Josephus are not connected with one another.[30] Laqueur's solution is to claim two different editions of the Antiquities in the following order:

1) A.D. 93/94 1st edition end section; xx.257,258,267,268.

2) After 100 2nd edition end section; xx.257,259-266, Vita.[31]

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[26] I, 548.
[27] P. 596.
[28] E. Norden, "Josephus and Tacitus über Jesus Christus und eine Messianische Prophetie," Neue Jahrbücher XXXI (1913), 637-666.
[29] "Der jüdische Geschichtsschreiber Josephus und Jesus Christus," Internationale Monatsschrift VII (1913), 1037-1068.
[30] Schürer, I, 87.
[31] Laqueur, p. 5.

Later editors made the mistake of separating the Vita from its context in the Antiquities without removing the section xx. 259-266, which is closely connected with it. By omitting this section Laqueur avoids the awkwardness of a double ending to the work. The large edition did not contain the chronological reference in 267, and consequently did not present the problem with relation to the statement of Photius.

Vita. -- The Vita (Ἰωσήπου βίος) is actually no more than an attempt on the part of Josephus to defend his actions as Jewish commander in Galilee during the first year of the great revolt. It was an answer to the charges brought against Josephus by Justus of Tiberias in a work no longer extant. It seems clear that Josephus was hard hit by the accusations; he desperately tries to answer them, but hardly succeeds, although he introduces a number of contradictions against his statements in the Bellum Iudaicum. According to Laqueur,[32] and Thackeray agrees with him on this point,[33] it is not the earlier Bellum Iudaicum but the later Vita which brings us closer to the actual events. According to this theory, Josephus wrote a summary of his activities immediately after his stay in Galilee, without, however, publishing it. In 74/75 he published his Bellum Iudaicum which evoked Justus' response at the same time. However, Justus

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[32] Pp. 53 et al.
[33] P. 10.

withheld his attack until 95, and only then did Josephus edit his earlier notes and publish them in the Vita, which in its present form reflects the influence of the Bellum Iudaicum. Differences between the two works, Laqueur claims,[34] are not due to unintelligent copying, but to changed political situations. Laqueur demands that pure source criticism be supplemented by a study of the intellectual development of the author: "An die Stelle der Quellenkritik hat -- sie ergänzend -- die Erfassung der geistigen Entwicklung des Josephus zu treten; nur sie lehrt uns die verschiedene Darstellung der gleichlaufenden Berichte verstehen."[35]

Contra Apionem.-- Contra Apionem is Josephus' defense of the age and tradition of the Jewish nation against the attacks on it by Pagan authors. This small book is characterized by great religious zeal and evident sincerity. In his description of the constitution of Moses he coined a new Greek word which has become an important terminus technicus down to our own days: θεοκρατία.[36] Contra Apionem is also an important source for fragments of Berosos, Manethos and other Hellenistic authors. Hölscher warns against overestimating the Hellenistic education of Josephus and suggests that most of these references are second-hand and taken from anthologies.[37]

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[34] Pp. 56f.
[35] Ibid.; italics Laqueur's.
[36] C.A. ii. 165; Thackeray, p. 99.
[37] Hölscher, cols. 1996f.

Eusebius[38] and Jerome[39] ascribe another work of Josephus περὶ αὐτοκρατόρος λογισμοῦ, which corresponds to our IV Maccabees. It was written before the destruction of the Temple in Jerusalem; according to Norden,[40] in Asia Minor. It is commonly acknowledged today that the work was not written by Josephus, the main argument being that many of its illustrations are taken from II Maccabees, which seems to have been unknown to Josephus.

Planned Work. -- The writings of our author contain numerous references to another work which he intended to compose, evidently on the "customs and laws" of the Temple. The author seems to have had definite plans along this line when he wrote the Bellum Iudaicum. It is possible that he also intended to include an account of the city and the walls;[41] when he wrote his Antiquities he included passages on these subjects, and the other work was now planned as a book on αἰτίαι (περὶ ἐθῶν καὶ αἰτιῶν ἀπόδοσις). The most definite references are found in the preface to the Antiquities.

> Should any further desire to consider the reasons (τὰς αἰτίας) for every article in our creed, he would find the inquiry profound and highly philosophical; that subject for the moment I defer, but if God grants me time, I shall endeavor to write upon it after completing the present work;...[42]

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[38] H. E. iii. 10.6.
[39] De vir. illustr. 13.
[40] E. Norden, Die antike Kunstprosa vom VI. Jahrhundert v. Chr. bis in die Zeit der Renaissance (Leipzig: Teubner, 1915), I, 420.
[41] Bell. Iud. v. 237, 247.
[42] Ant. i. 25.

And in Antiquities iv. 198:

> As for those which he has left to us in common concerning our mutual relation, these I have reserved for that treatise on "Customs and Causes" (περὶ ἐθῶν καὶ αἰτιῶν ἐπόδοσιν), which, God helping, it is our intention to compose after the present work.

At another place the author says that the treatise was to consist of four books and deal with "God and his substance (οὐσία) and the laws."[43] A careful study of the Antiquities and the Bellum Iudaicum gives a rather detailed picture of the proposed contents of that work, of which a summary is given in the following list of references:

Subject Matter	Reference
I. 1. the bulk of the Law	Ant. iii. 94
2. the laws concerning "mutual relations" distinguished from laws concerning the political constitution[44]	Ant. iv. 198, 302
II. ritual of the sacrifices	Ant. iii. 205
III. 1. details in the law of Moses, in particular the reasons why some things are forbidden and others allowed	Ant. xx. 268
2. clean and unclean food	Ant. iii. 205, 259
3. reason for circumcision of Jews	Ant. i. 192
4. table of showbread	Ant. iii. 143, 257

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[43] Ant. xx. 268.

[44] "The exact distinction intended is not evident," Thackeray, Josephus (London: Heinemann; New York: G. P. Putnam's Sons, 1930), IV, 571, n. c.

	5. sabbath	Ant. iii. 143[45]
	6. two daily sacrifices of the priests	Ant. iii. 257
	7. sin offerings	Ant. iii. 230
IV.	cession of shining of breast-plate	Ant. iii. 218
V.	comparison of Essenes with Pythagoreans	Ant. xv. 371
VI.	Israelites in Egypt	C. A. i. 92.

These definite references to specific subjects to be treated in the planned work seem to indicate that Josephus had at least drawn up an outline of it. Thackeray suggests[46] that Josephus, when he gave up the idea of carrying out his plan, incorporated some of the material collected in the Antiquities.

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[45]It is not quite clear whether reference is made to both showbread and sabbath or to the showbread only.

[46]Josephus IV, 415, n. a.

CHAPTER II

JOSEPHUS' USE OF SOURCES

Josephus' treatment of his sources is varied. It is rather surprising to notice that the Bellum Iudaicum does not contain any acknowledgement of other sources. Although he could make extensive use of his own recollections of the war and his private notes, a careful comparison of this work with the corresponding passages in the Antiquities will show that the underlying source material is practically the same. Why he refused to mention his sources in the war account is not clear; it could very well have been that he wanted to stress the element of his direct knowledge through personal experience.

Sources in Antiquities.-- If that be true, the opposite line of thought must have led Josephus to display the wide array of source material upon which his account in the Antiquities rests. The work can easily be divided into two parts, the first of which ends with the close of the exile at the end of Book x. It is not surprising to notice that our author follows the Biblical narrative which for many sections was the only account available. The author claims that he restricts himself to the office of a translator of

the Hebrew text for his Greek reading public.[1] He accuses other writers, Eupolemus, Demetrius, and Philo the Elder, of not fully understanding the meaning of the sacred text because they could not read the Hebrew original and had to restrict themselves to the Septuagint.[2] It seems probable that he had a good knowledge of Hebrew and a thorough training in the Jewish scholarship of his time. Bloch comes to the conclusion that Josephus preferred the use of the Septuagint, but that he did not neglect to check the Hebrew text.[3] Josephus used the Greek forms of the Septuagint for proper names in his Bellum Iudaicum, but in the Antiquities, and it is here that he claims to act as a translator, he retains the Hebrew forms.[4]

Although Josephus claims to give an accurate Greek rendering of the Hebrew original, he changed his material so much that he himself felt obliged to make apologies to his fellow-Jews. However, he merely denies that he added anything new "for the sake of embellishment"[5] and asserts that he simply rearranged the material in a more systematic fashion. But even the most devout admirer of Josephus will

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[1] Ant. i. 5: x. 218.
[2] C.A. i. 218.
[3] H. Bloch, Die Quellen des Flavius Josephus in seiner Archäologic (Leipzig: Teubner, 1879), p. 18.
[4] A. Schlatter, Die hebräischen Namen bei Josephus, Beiträge zur Förderung Christlicher Theologie, XVII (1913), 3./4. Heft (Gütersloh: Bertelsmann, 1913), 5.
[5] Ant. iv. 196.

not be able to deny that his author acted not only as a translator and arranger, but also as an editor, who suppressed several passages which would be discreditable to the Jews. The two best known passages omitted are the narrative of the golden calf and the breaking of the first tables of the law.[6]

Martin Braun has shown[7] that Josephus was no mere copyist of his source material. The narrative of Joseph and Potiphar's wife[8] is the most outstanding example of Josephus' attempt to transform the straight-forward Biblical story into a Hellenistic novel by applying motifs known to students of Greek literature from the many varied forms of the Phaedra and Hippolytus story, which can be found already in Homer under the names of Anteia and Bellerophon.[9]

It must always be kept in mind that Josephus wrote primarily for Gentile readers and that his purpose was apologetic. When he comes to certain points in his paraphrase of the Biblical account which might sound odd and fantastic to his Gentile audience, he takes great pains to show that similar reports can be found in pagan writers.

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[6] Thackeray, Josephus, the Man and the Historian, p. 58.

[7] M. Braun, Griechischer Roman and hellenistische Geschichtschreibung (Frankfurter Studien zur Religion und Kultur der Antike, ed. W. F. Otto, vol. VI, [Frankfurt/M: V. Klostermann, 1934]).

[8] Gen. 39:7-20; Ant. ii. 41-59.

[9] II.vi. 144-211.

Once again he tries to establish a direct relationship between his own nation and the Hellenistic world in his attempt to prove that the Jews are not the barbaric people which some critics had made them out to be.

The following table shows the extent to which Josephus marshalled foreign aid to support his account. In contrast to Hölscher's list in Pauly-Wissowa's Realencyclopädie[10] the names of the authors are given not alphabetically, but according to the context in which they are cited. This will also show how frequently they have been used by Josephus.

Subject	Reference	Authors mentioned
	Ant.i.93	Berosus*[11]
	94	Hieronymus the Egyptian[12] Mnaseas "and many others"[13]
	95	Nicolas of Damascus*
Longevity of Patriarchs	Ant.i.107	Manetho Berosus Mochus[14] Hestiaeus[15] Hieronymus the Egyptian

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[10] R.E., col. 1964.
[11] Priest of Marduk at Babylon under Antiochus I (281-261).
[12] Otherwise unknown.
[13] Disciple of Eratosthenes, end of third century.
[14] Otherwise unknown.
[15] Cf. Ant. i.119. Otherwise unknown.

Subject	Reference	Authors mentioned
Longevity of Patriarchs	Ant. i. 108	Hesiod Hecataeus[16] Hellanicus[17] Acusilaus[18] Ephorus[19] Nicolas of Damascus
Tower of Babel	Ant. i. 118 119	Sibyl*[20] Hestiaeus*
Abraham	Ant. i. 158 159	Berosus* Hecataeus Nicolas of Damascus*
Descendants of Abraham, Name of Africa	Ant. i. 240	Alexander Polyhistor*
King Adado	Ant.vii.101	Nicolas of Damascus
Solomon and Hiram	Ant.viii.55 144 147	Tyrian archives Menander*[21] Dios*[22]
Name "Pharaoh"	Ant.viii.157	Herodotus
Isokos (Shishak)	Ant.viii.253	Herodotus
Drought in Elijah's Time	324	Menander*

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[16]Of Miletus, born about 525 B.C., author of Genealogies and Voyage around the World.

[17]cf. C.A. i.16. Otherwise unknown.

[18]Argos, probably fifth century, author of Genealogies.

[19]Of Kyme in Asia Minor, born between 408 and 405, historian.

[20]Based on Alexander Polyhistor. Thackeray, Josephus, IV, 56, n.b.

[21]Of Ephesus; Hellenistic historian who translated the Tyrian archives.

[22]Author of Phoenician history. Otherwise unknown.

Subject	Reference	Authors mentioned
Assyrian Invasion	Ant. ix. 283	Menander*
Raise of Siege of Pelusium	x. 18	Herodotus*
	20	Berosus[23]
King Baladas	Ant. x. 34	Berosus
Nebuchadnezzar	219	Berosus*
	227	Megasthenes[24]
	228	Diocles[25]
		Philostratus

*Direct quotations.

It can be noticed that in Ant. i. 85, 108, and 159 Nicolas of Damascus is mentioned as the last of several authorities. Thackeray has suspected that he actually was the only source used directly by Josephus, and that it was Nicholas who had done the actual compiling,[26] probably for his Universal History.[27] Some of the material is used by Josephus again in Contra Apionem. If Thackeray is right, it might be possible to identify the anthologies mentioned by Hölscher[28] with Nicolas of Damascus. How much of the information used by the Syrian historian is based upon a study of the primary

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[23] LV have λέξων οὕτως, but no quotation follows. It is possible that it is lost.

[24] Greek ambassador to Chandragupta, author of Indika.

[25] "Nothing is known of a Diocles who wrote a History of Persia. There were, however, several ancient historians of this name." R. Marcus, Josephus, VI, 284, n.a.

[26] Thackeray, Josephus, IV, 46, n.b.

[27] Thackeray, Josephus, the Man and the Historian, p. 59.

[28] Hölscher, col. 1996.

sources is a different question, for which no answer can be attempted here.

The discussion of Braun and the above table have shown that Josephus interpreted his office as translator of the Bible in such a way that he felt free to

1) omit certain passages from his account,

2) eroticize some passage on the pattern of the Hellenistic novel,

3) affirm the accuracy of the Biblical account (and of his own) by supporting it through the testimony of pagan authors, taken possibly from secondary sources.

It is important to notice that Josephus felt free to proceed in this manner with the Biblical text. This would indicate that to him, a priest with scholarly pretensions, the Bible was not so sacred as to be above such a treatment. Furthermore, he was not afraid that some one might point out to him the discrepancy between his avowedly faithful adherence to the text and his actual free treatment of his source, in spite of the fact that at his time the Greek Bible was probably accessible to anyone who wanted to use it for research purposes. It remains to see how Josephus made use of his sources for his account of that period for which a Biblical narrative was no longer available.

Varied Treatment.-- Even a casual reading of the second half of the Antiquities clearly shows that the treatment is very uneven. It has long been assumed that this unevenness goes back to the different types of source material that Josephus had at his disposal. How dispro-

portionate the narrative is can be seen when one realizes that the period from the first return from exile down to the reign of Antiochus IV Epiphanes -- almost four centuries -- is covered in two books, while the reign of Herod the Great covers more than three books. This unbalanced account does give cause to wonder, even though it has to be admitted that it is a rather poor understanding of historiography to expect an author to devote exactly the same amount of space to the same periods of time, especially if one remembers that it is the judicious sifting of material and a careful change from a short summary of less eventful years to a detailed description of important happenings that distinguishes the historian from the annalist. The argument that Josephus gets more detailed in his narrative as he approaches his own time does not hold, because after the detailed account of Herod the story once more takes on the character of a sketch.

It cannot be the purpose of these introductory remarks to enter into any detailed discussion of the source problem in the second half of Antiquities. A brief summary of the situation as it is treated by the leading scholars will have to suffice.

For the period down to Antiochus IV Epiphanes it is regrettable that Josephus does not furnish the student with a reliable source with which to check the accounts in Ezra and Nehemiah. Instead, he offers a paraphrase of the "Esdras A" of the Alexandrian Bible and the Greek book of

Esther.[29] There are indications that the Letter of Aristeas was used, together with some lives of Alexander the Great. The era of the Maccabean revolt is covered partly by paraphrases from I Maccabees. Destinon argues[30] that Josephus used the First Book of Maccabees not directly, but only as a secondary source used by the "Jewish Anonymus," which again showed a number of differences from the text that is familiar to us. The most important one is that chapters 14-16 of our I Maccabees were missing, the narrative stopping at the death of Jonathan.[31] Thackerary would disagree with Destinon on this point. He argues that I Maccabees was "the last of a corpus of Alexandrian versions of the later historical book of the Bible, from Samuel onwards, ..., and the loss of the last few pages of a MS is a common phenomenon."[32]

Unidentified References -- In Antiquities xiii and xiv we frequently find paragraphs ending with the phrase ὡς καὶ ἐν ἄλλοις δεδήλωται,[33] or ὡς καὶ ἐν ἄλλοις δεδηλώκαμεν,[34] and some of these remarks are also to be found in the parallel passages of the Bellum Iudaicum. The interesting fact is that the passage form of the phrase is always used

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[29] Thackeray, Josephus, the Man and the Historian, p.61.
[30] J. V. Destinon, Die Quellen des Flavius Josephus, (Kiel, 1882), pp. 60-91.
[31] Ant. xiii. 212; I Macc. 13:30.
[32] Thackeray, Josephus, the Man and the Historian, p. 62.
[33] Ant. xiv.119.
[34] Ant. xiii. 61.

in Book xiv, while the personal form is the rule in Book xiii. Destinon puts both forms of reference into the same category and argues that, while the impersonal phrase refers to the work of some other author, the personal phrase is taken directly from that unknown source. The way it stands in Josephus, it makes no sense; it is taken out of its original context and presumably refers to some other passages in the work used by Josephus as his source or to some other work of that unknown author. Drüner,[35] followed by Thackeray, believes that the best way of explaining the personal references is to assume that Josephus originally wrote a preliminary study for his Antiquities, which contained material referring mainly to Syria and Parthia, but which was probably never published. Thackeray's discussion of Destinon's hypothesis contains one remark which seems methodologically important: "though Josephus, like other historians, does not always mention his sources,it seems a needless complication to multiply their number, when so many are in fact either named or identifiable."[36]

Nicolas of Damascus -- The main source for the lengthy and important description of the life of Herod the Great is probably Nicolas of Damascus, besides whom only Strabo and Livy are mentioned. Because a parallel life of

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[35] H. Drüner, Undersuchungen über Josephus (Dissertation, Marburg, 1896), p. 80.

[36] Thackeray, Josephus, the Man and the Historian, p. 64.

Herod is found in the Bellum Iudaicum, it might be worth while to point out some of the similarities and differences between these two accounts.

In the Antiquities, Nicolas of Damascus is acknowledged as one of the main sources. His language can be rather easily detected. The clearest criterion is the use of the phrase (ὁ) βασιλεύς for Herod the Great. Strabo, though mentioned more often than Nicolas, appears to be a subsidiary source, only occasionally used. He is not quoted in Antiquities after paragraph 138; and it seems that after this point it is impossible to detect any phrases characteristic of his style.

No sources are named in the Bellum Iudaicum, but the narrative is clearly based on the same two sources, again mainly Nicolas. As far as can be detected it would seem that Antiquities adheres more closely to the language of the source (Nicolas) than does the Bellum Iudaicum. In the latter work Josephus, or his literary assistants, has polished and improved the language of the source. Only rarely do Antiquities and the Bellum Iudaicum agree in using the same phrases of the sources at the same point. The source vocabulary appears first in one account and then in the other. It is quite possible that this procedure is intentional. That would mean that when the Antiquities was written, the author used both his original source and also the Bellum Iudaicum, his aim being to avoid any great amount of repetition of phrases. And because in the War the sources had been treated with relative freedom, the writer was able in the

Antiquities to adhere more closely to the language of his model.

Classical Allusions -- Although the War does have some allusions to classical authors, it does not try to imitate any particular classical model. Both works contain evidence of familiarity with the same passage in Thucydides. Both the expression κεύθω ἀπέπεμψεν [37] and the phrase τῷ δὲ λόγῳ ἐπέδεσεν αὐτόν [38] are taken from Thucydides i. 128, where they appear as ἀποπέμπει κεύθω, and in the identical form τῷ δὲ λόγῳ ἐπέδεσεν κτλ., respectively. The only other allusion to Thucydides in the Bellum Iudaicum seems to be in i. 280, where πολέμῳ τετευχωμένην echoes the τῷ πολέμῳ τετευχωμένοι of Thucydides vii. 280. In view of the rarity of such allusions in the War it seems possible that they crept into the text when Josephus had it before him during his work on the Antiquities, for in this work allusions to, direct quotations from, or imitations of classical authors, and especially Thucydides are so common that Thackeray has been led to name one of the συνεργοί mentioned by Josephus[39] and whose mannerisms are especially obvious in books xvii-xix of the Antiquities the "Thucydidean hack."[40] The other assistant was far more refined in his use of classical models, and

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[37] Bell. Iud. i. 178.
[38] Ant. xiv. 103.
[39] C.A. i.50.
[40] Thackeray, Josephus, IV, p.xv.

although he also sometimes alludes to Thucydides, his favorite author seems to have been Sophocles; he probably also had a hand in the final formulation of the War, which likewise contains phrases taken from Sophoclean plays.[41]

References. -- In connection with these assistants it is to be noted that besides their favorite "mannerisms" and "niceties," as Thackeray calls them,[42] there seems to be another method by means of which at least a part of their work can be detected. The writings of Josephus contain a large number of personal references, which, broadly speaking, can be divided into the following categories:

1) Opinions and theories of the author concerning cause and effect of certain events; frequently applied to moral causes. These references occur practically always in the first person singular.

2) Proposals concerning the arrangement of the rank; likewise usually in the first person singular.

3) References to the Jewish nation. These are usually in the first person plural;[43] however, there are a number of instances in which the Jews and their institutions are referred to in impersonal terms, such as τὸ ἔθνος, τὰ πάτρια, οἱ Ἰουδαῖοι, or τὰ ἐπιχώρια ἔθη.[44]

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[41] Bell. Iud. iii. 153. Electra 995f.; Bell. Iud. iii.212; Electra 980.

[42] Thackeray, Josephus, the Man and the Historian, p. 115.

[43] Bell. Iud.i.6,11,18; iv.137,140; Ant.i. passim to 192 and 334; ii.177, 203, 205,313,318; iii passim; iv.12, 197f., 327; vi.268; vii; viii; x; xii; xiii; xiv; xv.7, 425; xvi. 174; xvii.14; xviii.9; xix; xx; Vita passim; C.A. passim.

[44] B.J.i. 648, 650; ii. 42,119,195,220; Ant. i. 214.

4) Cross references to other, preceding or following, passages in either the same work or in other works. In this group both the forms of the first person singular and those of the first person plural are used interchangeably.

Of these four different categories it may be assumed that the first two come mainly or entirely from Josephus himself. Even when he employed assistants, Josephus would probably keep control of the arrangement of the complete work, and it is doubtful whether his helpers would have put their private opinion into the first person singular; the passages concerned do not contain any characteristics which would indicate the authorship of one of the συνεδροί.

The situation is quite different, however, as far as the third and fourth groups are concerned. In the references to the Jewish nation the question might be asked whether the personal phrases in the first person plural would not indicate that Josephus himself is speaking, referring to the Jews as a nation of which he himself is a member. His self-appointed task was to present his nation in a favorable light before the Hellenistic-Roman world. If he wanted the Greeks and Romans to have respect for his people, he could surely not disclaim membership to this race. True, he lived in Rome during the latter part of his life, he was on familiar terms with many of the leading men in the capitol, and yet he was a Jew who considered himself as an ambassador of his people in a frequently hostile atmosphere at the capitol. One might argue that an impersonal style of narrative might have given his ac-

count of the Jews a more objective character. But Josephus did not wish to be objective; he claims to be truthful and faithful to his sources, but he does not deny that he has a purpose in mind while writing his work. And he never denies the fact that he is a Jew.

Under these circumstances the question might be asked whether the impersonal references to the Jewish nation, their land, and their customs, might not be indications that we have before us the work of the assistants.

Cross references in the singular probably indicate the hand of Josephus, while those in the plural would be a sign of the collaborators, who, even though probably only one always worked on a specific passage, would differentiate their style from that of their employer by the use of the more impersonal and indirect expression. It should be pointed out, however, that this criticism is too vague to be of absolute value and can hardly be used without the support of other indications.

Memoirs of Herod -- A long debate has been going on concerning the question whether Josephus used sources other than Nicolas of Damascus for his life of Herod the Great. Josephus himself seems to claim that he did so when he says: ταῦτα δὲ φαίφομεν ἡμεῖς, ὡς ἐν τοῖς ὑπομνήμασιν τοῖς τοῦ βασιλέως Ἡρώδου περιείχετο.[45] Although the passage quoted is

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[45] Ant. xv.174.

the only reference to such memoirs of the Idumenaan king, their existence should not be denied, for it is known that monarchs of that period were in the habit of composing such works. Bloch[46] finds evidence for the direct use of the memoirs by Josephus, but Destinon[47] and Schürer,[48] followed by Thackeray[49] point to the imperfect tense of περιείχετο and conclude from it that the memoirs were used only indirectly.

Writings of Nicolas of Damascus. -- Nicolas of Demascus was the official historian and secretary at the court of Herod the Great. This position carried with it the responsibility not necessarily to write "objective" history, but to extol the virtues and merits of his employer, especially in the case of a man like Herod, who was very much in need of a talented public relations man. The writings of Nicolas are extant only in fragments, giving only a poor indication of the Syrian historian's literary activity. They included a large Universal History in 144 books, a Biography of Augustus, of which two large fragments have been preserved, an Autobiography, a work On Strange Customs and Manners.[50] Of the tragedies and comedies with which the Suda credits Nicolas nothing remains. Most of the material in Josephus is taken from the Universal History, other fragments

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[46] Bloch, pp. 140ff.
[47] Destinon, Die Quellen des Josephus, pp. 122ff.
[48] I, 48.
[49] Thackeray, Josephus, the Man and the Historian, p. 66.
[50] παραδόξων ἐθῶν συναγωγή.

of which can also be found in Athenaeus. However, because the bulk of the fragments in the Antiquities and the Bellum Iudaicum deals with the life of Herod, attention has to be paid also to the Biography of Augustus, at least for purposes of comparison.

Leo calls the work a book of courtly character[51] and classifies it as belonging to the late type of the Peripatetic biography, the greatest exponent of which was Plutarch. Of the two extensive fragments one (de virtutibus) covers the beginning of the work up to the stay in Rome after the Spanish campaign, while the second one (de insidiis) deals of Augustus' stay at Apollonia and the period up to the enrollment of the veterans. Jacoby stresses, over against Leo, the historical value of the work, although he does not deny that the narrative is frequently interrupted by panegyric digressions.[52]

Peripatetic Biography.-- According to Aristotle[53] ἦθος develops out of the ἔθος ; only through practicing virtue can a man become virtuous. In the Peripatetic biography, then, no attempt will be made to give an abstract discussion of the subject's character. Rather, the actions of

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[51]F. Leo, Die griechisch-römische Biographie nach litterarischen Form (Leipzig: Teubner, 1901), p. 191.

[52]F. Jacoby, Die Fragments der Grieschischen Historiker (Berlin:Weidmann, 1926), II C, 263.

[53]Eth. Nicom. 1105^{b}9.

the man are described, though in such a way that the narrative will allow the reader to form a picture of the hero's character. In a biography of this type, φύσις and παιδεία will be found in the introduction; it is only after the man has developed sufficiently to act responsibly that one can begin to judge his character in the manner described.[54] Another important point of the Peripatetic biography is that it is composed with a large audience in mind, an audience that wished not only to be informed but also to be entertained.

Interest in biography was so great that it found its expression not in the writing of actual life-stories, but also in the inclusion of biographical sections in historical works of wider scope. Biography had its origin in the works of the younger contemporaries of Socrates, both of his followers and his opponents. The oldest biography extant is the Evagoras of Isocrates which formed the pattern for the Agesilaus of Xenophon.[55] Isocrates also included biographical sketches in his other works, and here again Xenophon was his faithful disciple; he included such sections in his Anabasis.[56]

Life of Herod in Josephus.-- How Nicolas's life of

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[54] Leo, p. 188.

[55] The work by A. Dihle, Studien zur griechischen Biographie (Göttingen: Vandenhoeck & Ruprecht, 1956), which discusses Peripatetic biography, was not accessible to the writer.

[56] J. B. Bury, The Ancient Greek Historians (Harvard Lectures; London: Macmillan, 1909), p. 158.

Herod in his Universal History was arranged can no longer be shown. The record in the writings of Josephus is extant in two different versions which are arranged differently. The account in the Bellum Iudaicum is much briefer than that in the Antiquities, but it is written in a better style. In the longer account, all events are arranged, more or less, in a chronological order, while in the War the public activities of Herod, his external success, and the splendid record of his buildings are kept separate from the domestic tragedy that embittered his private life. The artful and effective arrangement of these personal conflicts, culminating in a series of murders, the dramatic language used, the appearance of ghosts, and the description of Herod as "the unfortunate victim of destiny" have led Thackeray to conclude that it is this account in the War which represents the original version of Nicolas.[57] However, the legitimate question might be asked why one should deny Josephus all artistic abilities. True, Nicolas is credited with the composition of tragedies and comedies,[58] now lost to us; but one can hardly deny that Josephus' narrative more than once gives evidence of his ability to present his subject matter in an effective and impressive way. The best argument that could be brought against the authorship of Josephus for these sections in the War is the fact that

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[57] Thackeray, Josephus, the Man and the Historian, pp. 65f.

[58] Suidae Lexicon, s.v. Νικόλαος.

Herod is depicted in a sympathetic way, while Josephus makes several very critical remarks against the king. As Laqueur points out, Josephus' attitude towards Herod changed according to both the political climate in Rome and his own position in relation to his fellow-Jews and the Romans. Under these circumstances it would be rash to demand that either all pro-Herodian or all anti-Herodian remarks must either be from Josephus or from some other definite source. If Josephus is denied credit for the portrait of Herod in the War because of its friendly attitude towards the king, it is difficult to see why the anti-Herodian remarks likewise are said to have been written by someone other than Josephus and are ascribed to an anti-Herodian anonymous. If this method were consequently followed through, practically nothing would remain of Josephus, who would then be reduced to nothing else but a paste-and-scissors man, and exactly that is denied by Foakes Jackson,[59] who says of Josephus that "without doubt he possesses the Oriental gift of brilliant narration, in which imagination plays no small part," and who is willing to give Josephus credit for the dramatic treatment of the life of Herod the Great.

Josephus' Criticism of Nicolas.-- It is natural that Josephus corrects Nicolas not only by adding anti-Herodian remarks, but also by actually challenging the

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[59]F.J. Foakes Jackson, Josephus and the Jews (New York: R. R. Smith, 1930), p. 257.

accuracy and veracity of the king's secretary. In connection with Herod's entrance into David's tomb he says: τούτου καὶ Νικόλαος ὁ καὶ ’αὐτὸν ἑταιρειοφεάφος μέμνηται τοῦ κατασκευάσματος, οὐ μὴν ὅτι καὶ κατῆλθεν, οὐκ εὐπετεῖ τὴν πεᾶξιν ἐπιστάμενος. διατελεῖ δὲ καὶ τἆλλα τοῦτον τὸν τεόπον χεώμενος τῇ φεαφῇ. ζῶντι γὰε ἐν τῇ βασιλείᾳ καὶ σὺν αὐτῷ κεχαειομένως ἐκείνῳ καὶ καθ’ ὑπηεεσίαν ἀνέφεαφεν, μόνων ἀπτόμενος τῶν εὐκλειαν αὐτῷ φεεόντων, πολλὰ δὲ καὶ τῶν ἐμφανῶς ἀδίκων ἀντικατασκευάζων καὶ μετὰ πάσης σπουδῆς ἐπικεωπτόμενος. 60

A similar statement is found in Joseph's discussion of Antipater's family background,[61] a remark which Hölscher[62] assigns to the anti-Herodian Jewish source, where Josephus found and copied it; this theory is rejected by Otto[63] and Jacoby.[64]

Josephus' Claims to Accuracy.-- In contrast to these accusations leveled against Nicolas may be put Josephus' own claims to accuracy,[65] and description of the principles which he made the basis of his entire work. From Contra Apionem I. 19-22 the reader gets the impression that to the Jewish historian contemporary records, both inscriptions and other written documents, formed the most important and trustworthy source. Josephus' tendency to quote several authorities for statements made by him seems to indicate that agreement

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60 Ant. xvi. 183f.
61 Ant. xiv. 9.
62 R.E. ix.1971f.
63 R.E. ix.2515.
64 Jacoby, C, 255.
65 Ant. x.218.

among various authors was taken to be a good warrant for the accuracy of their report.[66] And finally, the author must never lose sight of objectivity; personal feelings must not influence the historical account.[67] It becomes immediately clear, of course, that apologetic motives and historical objectivity, even if the latter were possible, cannot at the same time be the guiding principles of an author. There is sufficient evidence to prove that Josephus wrote for apologetic reasons, both in defense of his people and of himself and his activities, and there is further evidence to show that Josephus was not too strict as far as historical accuracy is concerned. His motives may also explain his attitude towards his sources, especially Nicolas of Damascus. As long as they fit into his over all plan and suit his purpose, he is willing to accept their testimony and use it to support his own arguments. If they do not fit into his line of thought, Josephus can pursue either of two different courses. He may either completely ignore his source on that specific point or even correct it a bit, as seen from his point of view. If, however, the source is well known or refers to facts or rumors which are common knowledge, our historian will proceed as he does with Nicolas of Damascus; he will charge his teacher with Tendenz and

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[66] cf. C.A. i.26: τῆς μὲν γὰρ ἀληθοῦς ἔστι τεκμήριον ἱστορίας, εἰ περὶ τῶν αὐτῶν ἅπαντες ταὐτὰ καὶ λέγοιεν καὶ γράφοιεν.

[67] Bell.Iud. i.9.

thereby imply, of course, that the account as found in Josephus is the only correct one. With the political scene subject to frequent and often radical changes and in a time when it was not entirely safe to publish books that might displease the emperor, we should not be surprised to find Josephus sometimes engaged in what almost looks like mental acrobatics. But even this never causes him to neglect his main two objectives: apologia pro sua vita et pro suo populo.

CHAPTER III

THE RELIGIOUS PERSECUTION IN ROME IN A.D. 19

Roman Religion within the Roman State

It is commonly known that the religions of Rome and Greece had many features and characteristics in common. This is true to such an extent that when the Greeks and Romans met in frequent contact, they identified most of their gods with the corresponding ones of the other people: Zeus was identified with Jupiter, Hera with Juno, Ares with Mars, Aphrodite with Venus, Hermes with Mercury, Hephaistos with Vulcanus, etc. But this process of syncretism must not deceive us, and we must not overlook the differences which become apparent at closer study. Ares in Greece was one of the least popular divinities; he was the god of reckless, merciless warfare and slaughter. He was responsible for the atrocities which mar the history of many of the innumerable Greek wars. The divinity of organized warfare was Athena, and in Rome Mars accepted the functions of both Athena and Ares. Furthermore, the Roman gods reflect to a large degree the character of the Roman people, as compared with that of their neighbors to the east. The Greek gods were true individuals, each one endowed with a strong character of his own, fitted out by the Greek poets with stories and myths. The Roman gods, on the other hand, were mostly

abstract powers, void of all true life. They influenced the lives of men through the ius divinum.

According to the Roman tradition, their religion began with the legendary king Numa -- who was said to have organized the religious calendar, the institution of the priestly colleges, the priesthood of the Vestal Virgins, and the colleges of the augurs and pontiffs. This is undoubtedly one of those legends so typical for ancient times. Many of the institutions ascribed to Numa existed probably before the foundation of Rome and were of Etruscan origin.[1]

One of the outstanding characteristics of the Roman religion was its willingness and ability to accept and absorb other religions. Under these circumstances it is difficult to define Roman religion as an abstract concept; it has always to be considered within its historical surroundings. One can recognize the following main stages of development in the religion of Rome:

1. primitive animism and magic;
2. beginning of the personification of spirits and powers of nature during the late regal period;
3. the humanizing of these spirits following contact with Latins, Etruscans, and Greeks during the Republic;
4. a corruption of orthodoxy as a result of the increasing skepticism introduced by Rome's foreign wars;

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[1]On the beginnings of Roman religion, see J.B. Carter, Religion of Numa, and other Essays on the Religion of Ancient Rome, (London, 1906).

5. the Augustan revival of the ancient faith;
6. the period of Caesarism, Greek philosophers, Oriental mystery cults, and Christianity.[2]

However, in all this diversity it is possible to discern one element which characterized Roman religion through the entire period after the organization of the Roman state: it was a religion of the state. As such, it had little or no regard for the religious needs of the individual. It was prosaic, aristocratic, and political; its priests were always officials of the state, temples and religious ceremonies were financed by state money, the religious law was administered by the state courts, and the admission or expulsion of certain divinities lay within the jurisdiction of the Senate. Even after the skepticism of the East had invaded Rome and won the men of the aristocracy for its philosophies, they still performed the religious rites expected of them, since their social and political privileges were closely connected with the religion of the state. The legal mind of the Roman saw in the relation between the gods and men not much more than a legal contract. When the consuls took office at the beginning of the new year they, especially in times of public need and emergency, gave the gods promises of sacrificial victims (votum publicum) pro rei publicae salute. This shows quite clearly the

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[2]W. W. Hyde, Paganism to Christianity in the Roman Empire (Philadelphia: University of Pennsylvania Press, 1946), p. 11.

quid pro quo character of Roman religion. It was also this legalism which required attention to the minutest details of the ritual, for correct and punctual performance of all required ceremonies was one of the conditions which had to be fulfilled if the gods were to be expected to keep their part of the bargain.

Once the position is taken that all the requirements of the traditional religion had to be fully met, if the welfare of the state was not to be endangered, it becomes the duty and concern of every citizen of the res publica to do his part. This was true from the consuls and principes down to the last citizen. Attention to the religion of the state was as much of a patriotic duty as was fighting against the barbarians on the borders of the empire. Even when genuine faith in the gods of the Roman pantheon had ceased, the state was jealous to keep the old ceremonies alive. Octavian, supported by the best minds of his time, like Vergil and Horace, even tried to accomplish a true revival of the old religion.[3]

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[3]"It would be premature to discern in this metamorphosis a frank and generous recognition of the excellence of Augustus' policy or an unequivocal testimony to the restoration of public liberty; but it does not follow that the poets and historians who lent their talent to the glorification of the new order in state and society were merely the paid and compliant apologists of despotism." R. Syme, The Roman Revolution (Oxford: Clarendon Press, 1939), p. 459.

Rome and Foreign Religions

Cicero mentions an old law which forbade citizens of Rome to honor new and strange divinities which had not been recognized by the state:

> Separatim nemo habessit deos neve novos advenas nisi publice adscitos: privatim colunto, quos rite a patribus cultos acceperint.
>
> Suosque deos aut novos aut alienigenas coli confusionem habet religionum et igotas caerimonias nos sacerdotibus. Nam a patribus acceptos deos ita placet coli, si huic legi paruerint ipsi patres.[4]

It is probable, however, that this old law was only very rarely enforced, and that only in cases when the new cults were reported to be immoral or a danger to the security of the state. This would in most cases apply to cults originating in the Orient.

The best known example of suppression of a foreign cult is that of the Bacchic rites in 186 B.C. We possess two records of it, one in Livy[5] and one on a bronze inscription.[6] In this case the modern student is in the fortunate position of being able to compare the actual text of a *senatus consultum* with the account of a later historian. Such a comparison should be expected to yield some important insights into the working methods of ancient historians. The questions to be raised in such an investigation are

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[4] Cicero *De legibus* ii.8.19; 10.25.
[5] *Ab urbe condita libri* xxxix. 8-20.
[6] *C.I.L.* I² 581. 3. 126.

mainly: (1) do the accounts of the facts agree in both cases? (2) does either account add or omit certain statements? If so, of what character are these statements? (3) Is it possible to discern any motives which may have led the historians to introduce certain of the changes observed (if any)? (4) Which of the two accounts is more specific and concrete in its formulation? (5) Do these specific details appear to be historically correct? (6) In what context and to what purpose does the historian introduce the account into his narrative?

The tablet dating from 186 B.C., was found in Calabria in 1640 and is now in Vienna. In the following quotation emendations of the text, necessitated by damaged spots on the tablet but without any bearing on the meaning of the text, have been written without identifying marks.

> Q. Marcius L. f., S. Postumius L.f. cos. senatum consoluerunt n. Octob. apud aedem Duelonai. sc. arf. M. Claudi, M. f., L. Valeri, P. f., Q. Minuci, C. f.
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> de Bacanalibus quei foideratei esent, ita exdeicendum consuere: 'neiquis eorum Bacanal habuise uelet. sei ques esent, quei sibei deicerent necesus ese Bacanal habere, eeis utei ad pr. urbanum Romam uenirent, deque eeis rebus, ubei eorum uerba audita esent, utei senatus noster decerneret, dum ne minus senatoribus C adesent, quom ea res consoleretur. Bacas uir nequis adiese uelet ceiuis Romanus neue nominus Latini neue socium quisquam, nisei pr. urbanum adiesent, isque de senatuos sententiad, dum ne minus senatoribus C adesent, quom ea res cosoleretur, iousisent. censuere.
>
> sacerdos nequis uir eset. magister neque uir neque mulier quisquam eset. neue pecuniam quisquam eorum comoinem habuise uelet. neue magistratum, neue pro magistratud, neque uirem neque mulierem quiquam fecise uelet. neue posthac inter sed coniourase neue comuoise neue conspondise neue conpromesise uelet, neue quisquam fidem inter sed dedise uelet. sacra in o quoltod ne quisquam fecise uelet.

neue in poplicod neue in preiuatod neue extrad urbem sacra quisquam fecise uelet, nisei pr. urbanum adieset, isque de senatuos sententiad, dum ne minus senatoribus C adesent, quom ea res cosoleretur, iousisent. censuer.

homines plous V oinuorsei uirei atque mulieres sacra ne quisquam fecise uelet, neue inter ibei plous duobus, mulieribus plous tribus arfuise uelent, nisei de pr. urbani senatuosque sententiad, utei suprad scriptum est.'

haice utei in couentionid exdeicatis ne minus trinum noundinum, senatuosque sententiam utei scientes esetis, -- eorum sententia ita fuit: 'sei ques esent, quei aruorsum ead fecisent, quam suprad scriptum est, eeis rem caputalem faciendam censuere' -- atque utei hoce in tabolam ahenam inceideretis, ita senatus aiquom censuit, uteique eam figier ioubeatis, ubei facilumed gnoscier potisit. atque utei ea Bacanalia, sei qua sunt, extrad quam sei quid ibei sacri est, ita utei suprad scriptum est, in diebus X, quibus uobeis tabelai datai erunt, faciatis utei dismota sient. in agro Teurano.

Thus the Senate practically forbade the celebration of the Bacchanalia, with one significent exception; if a person believed that the rites were essential to him, he could submit an application to the urban praetor, who would then forward it to the Senate. This supreme body of the Roman state could pass on this application only if at least one hundred members were present. If the celebration of the ties was permitted, no more than five persons were allowed to participate; this latter rule was clearly designed to prevent the adherents of this strange religion from becoming a powerful organization.

Besides the archaic language of the decree one other feature strikes the reader, and that is the typically Roman concern for justice which speaks out of this tablet. It seems quite clear that the Roman authorities considered the Bacchic rites to be dangerous for the welfare of the state

and that they, therefore, had to be suppressed. But an honest attempt is made to provide for the opportunity to worship for all these people to whom the Bacchic rites were truly sacred and who would, in all probability, refrain from abusing them for immoral and criminal practices.

Written in the tradition of Roman decrees, the language of the tablet is terse and severe. There are no explanations given for the prohibitions and restrictions pronounced; the reader learns nothing about the background of the sect; nor is there any attempt at moralizing or preaching. The Roman Senate has decided, and that settles the issue.

In modern print the Senatus Consultum covers less than one page. It gives us valuable information about the policy of the Roman state towards foreign cults during the early part of the second century B.C. We should expect far more information from the lengthy narrative in the writings of Livy. However, the reader becomes immediately aware that he has left the severity of the bronze tablet and has entered into a leisurely world where people have time to listen to authors reading their works or to slaves reading from scrolls. The author of the early imperial period was expected not only to instruct but also, and perhaps mostly, to entertain.

The beginning of the narrative is illuminating. Livy starts out with short statements of facts and mentions a number of names, thus identifying the year and the leading men who held office at that time. The last sentence

of this introduction, while serving as a connection with the story to follow, is still written in this short, severe style: consulibus ambobus quaestio de clandestinis coniurationibus decreta est.[7] But then the language changes immediately and assumes a more artistic style:

> Graecus ignobilis in Etruriam primum venit nulla cum arte earum, quas multas ad animorum corporumque cultum nobis eruditissima omnium gens invexit, sacrificulus et vates; nec is qui aperta religione, propalam et quaestum et disciplinam profitendo, animos errore imbueret, sed occultorum et nocturnorum antistes sacrorum.

From here on the narrative follows closely the pattern of Hellenistic novelistic composition.[8] Some of the features are to be noted.

The stage is set through a representation of the forces involved. On the one side stand the most eminent men of Rome of that time; their task is to combat the evil introduced into Italy by a Graecus ignobilis. The shameful rites of the Bacchanalia would have spread even more and caused far more damage, had it not been for one person who drew the attention of the authorities to the rites and caused them to suppress the immoral cult.

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[7] xxxix.8.3.

[8] On the influence of the Spätannalistik on the work of Livy see M. Gelzer, "Die Unterdrückung der Bacchanalien bei Livius," Hermes, LXXI (1936), 275-287, and, by the same author, "Die Glaubwürdigkeit der bei Livius überlieferten Senatsbeschlüsse über römische Truppenaufgebote," Hermes, LXX (1935), 269-300.

The heroine is a courtesan, Hispala Faecunia, a freedwoman. Her motive is stated explicitly: She acts coacta caritate eius,[9] and tries to save her love, Publius Aebutius, from the snares laid out for him by his mother and stepfather. The young man tries to be an obedient son, but his parents' complaints about his love affair and their invectives against Hispala, drive him from the house. A wise aunt, Aebutia, counsels him to take the matter before the authorities. The consul Postumius likewise deems it wise to seek the benefit of an elderly lady's wisdom and understanding, in this case it is his mother-in-law. Hispala is called in for questioning, and the author dwells on every detail of the lady's embarrassment and her attempts to avoid even further questions. The consul, having received sufficient evidence, lays the matter before the Senate, which promptly undertakes the necessary steps to check the further spreading of the rites. The consul himself delivers a lengthy speech before the assembled populace, praising the ancient Roman virtues and condemning the vile customs introduced by a few foreigners. The laws enacted by the Senate are briefly mentioned, and the narrative closes with a detailed description of the punishment meted out against those found guilty and the rewards given by the state

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[9]xxxix. 10.5.

to Publius Aebutius and Hispala Faecunia, who is given all the privileges of a free-born woman.

There can hardly be any doubt that both the bronze tablet and the account of Livy refer to the same incident, a suppression of the Bacchic cult in the year 186 B.C. Both the tablet and Livy[10] mention the provisions for future celebrations of the rites under strict supervision and limitation of the number of participants. Whether Livy actually knew the text of the tablet is doubtful: "In general the statements of Livy agree with the inscription, although the evidence of language gives no indication that Livy saw the inscription."[11]

The main additions in the account of Livy are of two different kinds: "(1) a detailed history of the rites in Italy, including a description of the secret nocturnal meetings, and (2) the story of the investigation, brought about by Publius Aebutius and Hispala Faecunia.[12]

There does not appear to be any specific reason to doubt that the main point, the description of the Bacchanalia and their history, represents the official version as known to the Roman historian. Furthermore, sufficient evidence exists in various ancient authors to believe that sexual

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[10] xxxix.18.8-9.

[11] E. T. Sage, Livy, (Cambridge: Harvard U. P.; London: Heinemann, 1936), XI, 272, n. 1.

[12] While the tablet seems to be based upon the acts of one Senate meeting, the account in Livy indicates a lengthy investigation, spread over several months, and several sessions of the Senate dedicated to this problem. Gelzer, Hermes, LXXI (1936), 283.

irregularities took place at celebrations of this type. Hispala claims that under the cover of darkness nihil flagitii praetermissum.[13] Persons who refused to participate in all types of crime were possibly murdered.[14] However, the reader does become suspicious of the accuracy of the account when he encounters such a sentence as this in the speech of the consul:"Quidquid his annis libidine, quidquid fraude, quidquid scelere peccatum est, ex illo uno sacrario scitote ortum esse." [15] Here Livy allows his readers to get a glimpse of the psychology underlying most of the religious persecutions in Rome: the foreign rites are made responsible for all kinds of evil, especially for any alleged decline in public morals. Once the populace has become accustomed to this kind of explanation of public disasters or misfortunes, it is understandable that men in responsible position will take refuge to this convenient method of directing the anger of the masses into different directions.

In a certain sense, the narrative of Hispala and Publius, which surrounds the basic account of the persecution of 186 B.C., is only an illustration of this idea. Titus Sempronius Rutilus, Publius' stepfather, mismanaged his ward's personal property and is unable to render an ac-

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[13] xxxix. 13.10

[14] "Raptos a diis homines dici quos machinae illigatos ex conspectu in abditos specus abripiant: eos esse, qui aut coniurare aut sociari facinoribus aut stuprum pati noluerint." xxxix.13.13.

[15] xxxix. 16. 2.

count for it at court. The only way out is either to kill the young man or to make him absolutely dependent upon his parents: via una corruptelae Bacchanalia erant.[16]

From this point on, the story of Publius and his lover Hispala is a pure romance with all the essential elements in it: conspiracy on the part of an unfaithful guardian, endangered love, public tribulations with danger, even danger of death, and final reward for their steadfastness, loyalty, and honesty, while all the culprits are punished.

When comparing the two ancient documents, the bronze tablet and the account in Livy, the reader notices immediately that the tablet represents a genuine Roman decree. He will wish for further information on the Bacchic rites and gratefully accept the work of Livy. However, some understanding of the methods of historiography in the early imperial period and the influence of the Hellenistic novel upon historical writings, will prevent him from taking every statement in the historian at its face value.

To separate romance from history in such a case as this is very difficult, if not impossible.[17] The student must not allow himself to be carried away by the discovery of novelistic elements in a narrative and then assign the entire account to the realm of fiction. Until the opposite can be proved, the student will, at least, have to reckon with the possibility that Hispala, Publius, his stepfather

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[16] xxxix. 9.4.
[17] Gelzer, Hermes LXXI (1936), 276f.

and mother, and his aunt Aebutia were histerical personalities, and that they were actually responsible for drawing the attention of the Roman authorities to the Bacchanalia.[18] There can be no doubt that the narrative contains novelistic elements, but owing to the lack of further evidence it would be rash to make definite decisions as to what is historical and what is not,

Livy's audience and purchasers of his books during the first century will probably have been satisfied: their author gave them an account of a critical moment in the history of their state, and at the same time he was able to both entertain them with a pleasant story and give them a moralistic, patriotic sermon. Once more the point was made that it was the native Roman virtues of honesty, piety, and patriotism which had saved the city and the state from a grave danger.

The Isis Cult in Rome

The worship of the Egyptian goddess Isis was spread throughout the Mediterranean world by sailors and merchants.[19] It reached Syracuse at the beginning of the third century B.C. During the year 105 B.C. the municipality of Pozzuoli decided

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[18] How a secret sect comprising multa milia hominum (xxxix. 15. 8) and holding meetings all over Italy et nunc per urbem could have escaped the Roman authorities for such a long time, is a question which Livy fails to answer.

[19] F. Cumont, Oriental Religions in Roman Paganism (New York: Dover, 1956), p. 79.

to perform certain types of work in front of the local Serapeum.[20] During the time of Sulla a college of pastophori was founded in Rome.[21] There the cult was very persistent, in spite of repeated attempts to suppress it. Between the years 59 and 48 B.C., the Senate issued five different orders to tear down the altars and statues of the cult (in 59, 58, 53, and 48).

The edict of 59 was conjectured by J. Ziehen[22] on the basis of a textual emendation in Cicero. He changed the passage: iacet enim ille sic ut phocis Curiana stare videatur.[23] into: ut prae hoc Isis Curiana stare videatur. Ziehen believes that the official campaign against the Egyptian cult was accompanied by private demonstrations, resulting in attacks on Isis believers and the destruction of statues and altars; and some act of this kind may have caused a public scandal:

> ...vielleicht hatte die heimliche Zerstörung eines Isisbildes im Frühjahr 59 gerade Anlass zu öffentlichem Skandal gegeben, sodass der Fall eine ephemere Sprichwörtlichkeit erlangte; wir können dann wohl verstehen, wenn Cicero von Pompeius schreibt: iacet ille sic, ut prae hoc Isis Curiana stare videatur.[24]

This textual emendation and interpretation is accepted by Otto Seeck,[25] who adds some further evidence from

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[20] C.I.L. X, 1781; I, 15-16. J. Burel, Isis et Isiaques sous l'Empire romain (Paris: Bloud, 1911), p. 5.

[21] Apuleius Metamorphoses xi. 30.

[22] "Ein Ciceronianum zur Geschichte des Isis-kultes in Rom," Hermes XXXIII (1898), 341f.

[23] Cicero Ad Att. ii. 17. 2.

[24] Ziehen, loc. cit.

[25] O. Seeck, "Zur Geschichte des Isis-kultus in Rom," Hermes XLIII (1908), 642f.

Tertullian,[26] according to which the altars of the Egyptian divinities had been destroyed, on order of the Senate, before the consulate of Gabinius, i.e. not later than 59 B.C., but had then been restored by the mobs. When Gabinius took office, the populace demanded a declaration of him in favor of the Isis cult, but the consul refused. Evidently, his successors in office were less steadfast, for five years later, in 53 B.C., a new decree was issued by the Senate against the cult.

Seeck explains the name of Isis Curiana from the name of its probable donor, Quintus Curius, who in 70 B.C. was expelled from the Senate and who later became an associate of Catilina. This would agree with the testimony of Dio Cassius, according to which the oldest sanctuaries of the Egyptian divinities in Rome were established by private persons.[27]

After Caesar's death, the triumvirs decided in 43 B.C. to erect a temple to Isis, "undoubtedly to gain the favor of the masses,"[28] but nothing came of it. The Alexandrian divinities were connected with the name of Antony, who had shown himself an enemy of the Roman people and state. Furthermore, Octavian was on principle opposed to the foreign cults. His religious attitude found its expression not only in prohibitions of foreign rites,[29] but also in an active support

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[26] Tertullian Ad nat. i. 10.
[27] Dio Cassius xl. 47.3.
[28] Cumont, p..82.
[29] In 28 B.C. the erection of altars to Alexandrian gods was forbidden inside the boundaries of the pomerium. In 21 B.C. Agrippa extended the prohibited area to a radius of a thousand steps around the city of Rome.

of the native religion, as evidenced in the Augustan Revival, for which Horace composed his Carmen Saeculare.

In the year 19 A.D. Tiberius once more suppressed the Isis cult in Rome. Our main source for this persecution is Tacitus, who at the end of his discussion of the events of that year speaks of the Egyptian and Jewish rites:

> Actum et de sacris Aegyptiis Iudaicisque pellendis factumque patrum consultum ut quattor milia libertini generis ea superstitione infecta quis idonea aetas in insulam Sardiniam venerentur, coercendis illic latrociniis et, si ob gravitatem caeli interissent, vile damnum; ceteri cederent Italia nisi certam ante diem profanos ritus exuissent.[30]

Tertullian discusses the suppression of the Isis cult in connection with the immoral practices in Rome and the neglect of the ancient virtues.[31] The persecution is also mentioned by Dio Cassius[32] and Suetonius.

> Externas caerimonias, Aegyptios Iudaicosque ritus compescuit coactis qui superstitione ea tenebantur religiosas vestes cum instrumento omni comburere. Iudaeorum iuventutem per speciem sacramenti in provincias gravioris caeli distribuit, reliquos gentis eiusdem vel similia sectantes urbe summovit, sub poena perpetuae servitutis nisi obtemperassent. Expulit et mathematicos, sed deprecantibus ac se artem desituros promittentibus veniam dedit.[33]

Two main factors need mentioning that are common to all of these accounts of the religious suppression of the year 19 A.D.: (1) the suppression took place obviously on moral grounds, and (2) it affected not only the adherents of Isis, but also the Jews and, according to

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[30] Tacitus Annales ii. 85.
[31] Tertullian Apol. xvi.
[32] Dio Cassius xl. 47. 3; xlii 26, 5.
[33] Suetonius Tiberius 36.

Suetonius, the astrologers.

That the Isis cult was an insult to Roman decency was something like a commonplace. This view has influenced students of religion and history down to the present time. One of the greatest and most outstanding authorities on ancient pagan religions has this to say about the Isis cult:

> In the first place, this cult was said to exercise a corrupting influence perversive of piety. Its morals were loose, and the mystery surrounding it excited the worst suspicions. Moreover, it appealed violently to the emotions and senses. All these factors offended the grave decency that a Roman was wont to maintain in the presence of the gods. The immorators had every defender of the mos maiorum for an adversary.
>
> In the second place, this religion had been founded, supported and propagated by the Ptolemies; it came from a country that was almost hostile to Italy during the last period of the republic; it issued from Alexandria, whose superiority Rome felt and feared. Its secret societies, made up chiefly of people of the lower classes, might easily become clubs of agitators and haunts of spies. All these motives for suspicion and hatred were undoubtedly more potent in exciting persecution than the purely theological reasons, and persecution was stopped or renewed according to the vicissitudes of general politics.[34]

Cumont's last observation deserves special emphasis. It is mostly as an instrument of politics that religion is of importance to the Roman ruling classes. The student gets the impression that the moral aspects were sometimes used only as a means of getting the great masses interested in the issue involved. Practially all Roman persecutions of religious groups were based upon moral considerations; and this is true

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[34]Cumont, pp. 81f.

also for both Christians and Jews. Ovid advises the dandies of his time that they could find pleasant company either at the Jewish synagog or at the temple of Isis.[35] It has been generally admitted that these accusations against Jews and Christians are completely unfounded. No one would accept the report that Fronto, consul in 143, gives of a Christian gathering, viz. a time and place where "haphazard embraces of shameful desire take place in the shameful darkness."[36] And no one would accept the testimony of Ovid, who was probably quite well informed in such matters, that the Jewish synagog was an assembly place of prostitutes.

But the French scholar G. Lafaye asks one very disturbing question. After referring to the passage in Ovid he says: "Dirons-nous donc que les pieuses assemblies du sabbat étaient des foyers de corruption? Et si nous admettons sans examen que les juifs etaient au-dessus de pareilles calumnies, pour quoi ne ferions-nous pas bénéficier les Alexandrins de la même indulgence?"[37]

A study of historiographical methods may not be able to answer a question like this, but it might contribute some points for consideration which should prove useful for a study of wider scope. The procedure of Josephus in his discussion of the religious persecution of 19 A.D. is instructive.

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[35] Ars amandi i. 77.

[36] R. M. Grant, The Sword and the Cross (New York: Macmillan, 1955), p. 76.

[37] G. Lafaye, Histoire du culte des divinités d'Alexandrie (Paris: E. Thorin, 1883), p. 55.

Josephus and the Religious Persecution of 19 A.D.

When coming from the reading of Tacitus, Suetonius, and Tertullian, the reader of Josephus is immediately impressed by the fact that in Josephus the account is divided into two different episodes, separated by an editorial phrase which seems to indicate that the author wants to indicate a difference between the two narratives.[38]

Josephus deals first with the impression of the Isis cult. He admits that both incidents occurred at the same time, but it is important to notice the different terms with which he mentions them in his account. The suppression of the Jews is called a ἕτερόν τι δεινόν which upset the Jewish community, while with reference to the Isis cult our author says αἰσχυνῶν οὐκ ἀπηλλαγμέναι πεάξεις. Then follows the famous Paulina story.

Textual Evaluation of Antiquities xviii. 66-80. -- According to Thackeray, the passage concerned belongs to that long section (books xvii to xix) which were composed mainly by the "Thucydidean hack."[39] The same author maintains that these books show the following main characteristics: "(1) free plagiarism from Thucydides and (a) certain mannerisms of [their] own, in which [the author] seems to be trying his hand at imitating, without really copying, his great model."[40]

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[38] ἐπάνειμι δὲ ἐπὶ τὴν ἀφήγησιν τῶν ἐν Ῥώμῃ Ἰουδαίοις κατὰ τοῦτον τὸν χρόνον συντυχόντων, ὡς μοι καὶ πεοαπεσήμηνεν ὁ λόγος. Ant. xviii. 80.

[39] Thackeray, Josephus, the Man and the Historian, p.110.

[40] Ibid.

Indeed, the passage does contain a certain number of peculiarities.

One of the phrases constantly recurring in these passages is ἡδονῇ δέχεσθαι , and it also is found in our section.[41]

A phrase otherwise not found in Josephus occurs no less than fifteen times in these three books and is also present in the Paulina narrative. Based upon Thucydides i. 138 (κεῖναι ἱκανῶς οὐκ ἀπήλλακτο), forms like (οὐκ) μὴ ἀπηλλαγμένος ἠλλάκτο, etc.) with the infinitive, and meaning 'not averse from, not indisposed or unable to' or similar are frequent.[42] In the Paulina narrative the following instances occur.

xviii.65 - πεύξεις αἰσχυνῶν οὐκ ἀπηλλαγμένας

68 - πεύσσειν οὐκ ἀπηλλάσσετο.

This latter phrase contains another characteristic: the usual spelling of πεύσσειν in Josephus is the so-called Attic double τ : πεύττειν . It is only in books xviii to xix of the Antiquities that one finds the Thucydidean spelling with double - σ:

Thucydides in iii. 38.7 has the phrase ἀκοῆς ἡδονῇ ἡσσώμενοι ,[43] which is echoed in the expression ἑαυτῶν αὐτῆς ἡσσημένων , again in the Thucydidean spelling.[44]

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[41] xviii. 70

[42] Thackeray, A Lexicon to Josephus (Paris: Librairie Orientaliste Paul Geuthner, 1930), p. 59.

[43] Cf. vii. 25. 9: τῇ σφετέρᾳ ταραχῇ ἡσσηθέντες.

[44] Ant. xviii. 72.

Over against these agreements with Thackeray's theory it has to be noted that some of the most frequent mannerisms of this 'hack' are absent from the passage under discussion, the most notable one being the relative pronoun ὁπόσος instead of the usual ὅσος, which Thackeray claims occurs over a hundred times in the three books mentioned.[45]

An argument from silence is always dangerous, and in the present case it would be hardly legitimate. The evidence points in the direction of Thackeray's theory that the eighteenth book of the Antiquities, including the Paulina story, is part of the work of the Thucydidean hack. Another possibility, that Josephus himself might have varied the style of his writings, cannot be discussed at this point, merely on the basis of one short narrative.

Contents of the Fulvia Story.--The Fulvia incident, as recorded in Antiquities, contains a number of interesting features. Above all, it is the only account of the suppression of the Isis cult in 19 A.D. which attempts to give a detailed record of the happenings which led the emperor to his stern verdict.

Just as in Livy's account of the prohibition of the Bacchanalia, the driving factor in the narrative is Eros. The heroine is a noble lady, excellent both on account of her social position and wealth and because of her undisputed virtue. Her opponent is a young man of means who does not

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[45]Thackeray, Josephus, the Man and the Historian, p. 112.

mind spending a fortune for the pleasure of one night, but whose love is fervent enough to make him think of suicide when his plans seem to fail. His hopes are re-awakened by a freedwoman of his father, Ide, who is evidently a direct descendant of the plotting slaves in the New Comedy.

The place of the crime is the temple of Isis, where the priests assist in the plot. The deceit of Paulina itself is strongly reminiscent of the Nectanebos story,[46] a part of the cycle which forms the Alexander romance. The theme is the visit of a god with a mortal woman within the temple precincts. This idea formed the theological basis for the royal succession in the Nile country.[47] Its application to Olympias, mother of Alexander the Great, was a convenient method of glossing over the complete, inglorious defeat suffered at the hands of the Macedonian conqueror. Ausfeld[48] characterizes the Nectanebos of the romance as "gewandt und pfiffig, aber ohne Würde and Ehrgefühl," and it would hardly appear unfair to apply the same description to Mundus or, rather, to Ide. Mundus makes one great mistake: he boasts about the success of his trick before Paulina herself. The enraged matron tells everything to her husband, who informs the emperor. The priests of Isis are crucified, the temple destroyed, Mundus exiled.

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[46] M. Pieper, R. E. XVI,2238f.; Grant, The Sword and the Cross,p29; Miracle and Natural Law in Graeco-Roman and Early Christian Thought (Amsterdam: North Holland Publishing Company, 1952), p.177.

[47] E. Norden, Die Geburt des Kindes (Leipzig: 1924), pp. 76-82.

[48] Ausfeld, Beiträge zur Kritik des Alexander romans (Leipzig: 1907), p.37.

Josephus' Characterization of the Isis Cult.--It has already been pointed out that Josephus calls the Paulina incident a shameful affair. His whole attitude towards the cult and its representatives is hostile. He evidently accepts the general idea that the temple of Isis is a playground for the demi-monde. He goes even further: he involves the priests of the temple themselves in the plot. They are willing, for money, to desecrate their sanctuary and to make the place before the altar a brothel. Paulina herself is naïve enough to believe the priests' invitation and even the god's appearance. She proudly tells her friends of her great experience. Here Josephus has another chance to apply his criticism; her friends are skeptical, in view of the reputation of the Isis temple, but even more amazed because of Paulina's well-known chastity. At this point, when Josephus has described the near success of the Paulina version, he introduces the dramatic turn: Mundus himself destroys the myth.

The emperor takes immediate action, and one need not doubt that Josephus approves of it. The decree of Tiberius is the same as that mentioned in the other ancient sources, except that Josephus is careful to separate the banishment of the Jews from it.

The novelistic aspect of the story breaks through once more at its end: Tiberius merely banishes the author of all the trouble, Μοῦνδον δὲ φυγῆς ἐτίμησε, κώλυμα τοῦ μὴ μείζονος

κολάζειν τὸ μετὰ ἔρωτος αὐτῷ ἡμαρτῆσθαι τὰ ἡμάρτημα ἡγησάμενος .[49]
If, as Tacitus, Suetonius, and Tertullian indicate, Tiberius' action arose out of a desire to check the spread of immoral practices in Rome, it can hardly be supposed that the emperor would spare a man who was guilty of a major crime of the meanest type towards a respected Roman matron. The argument that Mundus was a man of high rank[50] does not hold, because Tacitus explicitly reports that Tiberius called Titidius Labeo, a former proconsul of Gallia Narbonensis,[51] before court to explain why he had failed to punish his wife Vistilia who had registered as a public prostitute.[52] Robert Grant correctly points out that this ending of the story is part of its novelistic character: "...nothing could be more alien to the policy of Tiberius than the singular moral given at the end. It suggests a view of le crime passionel not common in ancient Rome.... Actually it reflects the view of life common enough in the Hellenistic romance."[53] It might even be questioned whether Josephus (or his assistant) himself would subscribe to such an attitude, especially in view of the moralizing tone usually struck by him. Or did he intend to introduce a concealed criticism of the Roman

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[49]Ant. xviii. 80.
[50]Δέκιος Μοῦνδος τῶν τότε ἱππέων ἐν ἀξιώματι μεγάλῳ, Ant. xviii. 67.
[51]Pliny, H. N. xxxv. 4.
[52]Tacitus, Annales ii. 85.
[53]Grant, The Sword and the Cross, p29, who refers to a similar attitude ascribed to Jesus in Luke 7:47.

system? Did he wish to indicate that a framework of justice which allows for such leniency for criminals motivated by love, compare unfavorably with the divine laws which form the legal basis of the Jewish nation? The evidence is insufficient to give a well grounded answer to questions like that, which, nevertheless, do indicate certain possible lines of thought.

The Expulsion of the Jews from Rome in 19 A.D.

The account of the expulsion of the Jews from Rome in 19 A.D. is given separately from that of the Isis adherents and is found in Antiquities xviii. 81-84.

Textual Evaluation of Antiquities xviii. 81-84.--Just like the preceding Paulina story, the Fulvia incident is ascribed by Thackeray to the Thucydidean hack. The passage is only about one-fourth as long as the preceding one, and it would be difficult to find a large number of stylistic peculiarities in these four paragraphs. The following three seem to be worth noting:

1. ἐπεδόσετο in section 82 follows the Thucydidean spelling that is standard for books xvii to xix.

2. If the hypothesis brought forth on page 19 be correct, the terms τῶν τὸ Ἰουδαϊκόν in section 83 and τῶν πατρίων νόμων in section 84, as well as the ἐπ' αὐτοῖς in section 81, would indicate the hand of an author other than Josephus himself.

Interpretation of the Fulvia Story.--The villain of the story is a Jewish fugitive from the law, a man evil in every

respect. It is important to notice that he has been forced to leave his native country because he had transgressed the law: he is practically no longer a member of the Jewish community. With the help of three other shameless characters he persuades a Roman noble lady to give them purple and gold, to be delivered to the temple of Jerusalem. As could be expected, the criminals embezzle the goods. Thus they defraud not only the Roman lady, but also the temple in Jerusalem for which the treasures were meant. Tiberius hears about the incident and banishes all the Jews from Rome; 4000 are sent to Sardinia, infamous for its unhealthy climate and the large number of brigands; even more Jews are punished for refusing to take up arms. The motive of the whole story is finally given by Josephus himself: καὶ οἱ μὲν δὴ διὰ κακίαν τεσσάρων ἀνδρῶν ἠλαύνοντο τῆς πόλεως .[54]

This complaint by Josephus also makes clear why he separated the account of the banishment of the Jews from that of the Isis believers.

Comparison of Paulina Story with Fulvia Incident. -- A comparative study of the two accounts reveals the following basic differences:

1. In the Paulina incident, it is the honor of a Roman noble woman that has been violated in the most shameless way, while Fulvia, on the other hand, though of course dis-

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[54] xviii.84.

appointed and upset, merely suffers the loss of some material goods.

2. Paulina is led into the trap set for her by the oldest and, presumably, highest-ranking of the Isis priests, functioning as representative of the god Anubis himself. The criminal in the second incident is a disreputable character whose worthlessness has been recognized by the Jewish authorities and who, therefore, is a fugitive from the law. He is assisted, not by other priests, but by fellow criminals.

3. The temple of Isis, or rather, its priests, found themselves richer to the amount of 50,000 drachmae as a result of their deceit, while the temple in Jerusalem had been defrauded of the treasures intended for it by the Roman proselyte.

4. Paulina was told by the priest that the god had chosen her for a very extraordinary honor; she was to undergo a religious experience that is available to only very few mortal women; The Jewish defrauder evidently did not make any specific promises of reward; he could have succeeded by reminding the Roman lady of the Jewish custom of tithing. Even a renegade Jew would not think of making promises of the kind given by the priest of Isis.

5. The ease with which Ide persuades the priests of Isis to cooperate in her scheme clearly indicates how corrupt is the whole moral texture of the Isis cult in Rome. Again, the Jewish religion is protected against such a charge by the absence of any official representative of its cult.

6. The punishment of the guilty persons in the

Paulina incident follows the strict rules of the criminal law; where an exception is made, as in the case of Mundus, it tends in the direction of leniency. No wholesale persecutions take place, the investigation of the incident is restricted to persons actually involved in it. That the temple of the goddess would be demolished is only to be expected; it had served as a hiding place for vice. In contrast to this the punishment of the Jews appears as the uttermost injustice. A crime of not even exceedingly serious nature, committed by four individuals with police records, leads to a wholesale persecution of all the Jews in Rome. There is evidently no attempt to initiate regular court proceedings. The strongest and healthiest Jewish men are sent to certain death in Sardinia; those who (for religious reasons!) refuse to carry arms are punished. All the Jews are forced to leave the capital.[55]

Novelistic Treatment of History for Apologetic Ends

It is not certain whether the two incidents recorded by Josephus are historical or not. The Paulina story is

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[55]It seems to be reasonably certain that this incident was the cause of the persecution. Converts to Judaism were numerous in the Rome of that time. "It is a strong testimony, ..., to the religious genius of the Jews (...), that, in spite of the general dislike of them, they were able to gain many proselytes from among the Romans; these belonged to all classes, from court circles downwards, as inscriptions on tombstones in the ancient Jewish cemeteries in Rome testify." W.O.E. Oesterley and Th.H. Robinson, A History of Israel (2 vols; Oxford: Clarendon Press, 1937), II, 417. The account in Philo (Leg. ad Gaium 24) makes a high Roman official Seianus, responsible for the banishment. On his death, Tiberius confirmed the full religious freedom of all Jews, irrespective of their place of residence.

definitely written in the pattern of the Hellenistic novel. Its resemblances with other Hellenistic stories and the totally unrealistic ending given to it place it clearly in the realm of fiction. The Fulvia story, in comparison, is much shorter. The incident itself is plausible enough; crimes of this type have been comitted at all times and in many places. The narrative becomes more doubtful when it is viewed in connection with the punishment mentioned at the end.

The pattern set by Josephus seems sufficiently clear to allow for the formulation of a hypothesis as to why the Jewish historian wrote the section as he did and what are the probable historical facts underlying the two accounts.

Josephus is faithful to his declared purpose of defending the Jewish people before a hostile Gentile world. The Romans were evidently not very particular about differentiating among the several Oriental cults that had established themselves in the capital of their empire. Just as in a later age Jews and Christians were frequently confused, so at this time Jews and adherents of Alexandrian cults were obviously grouped together; this can be seen from the records of Tacitus and Suetonius who describe the persecution of 19 A.D. as one incident.

It is exactly this inability, or unwillingness, of the Roman authorities to differentiate between "the other" Oriental cults and Judaism which forces Josephus to introduce and emphasize this distinction in his own narrative. The

account is found in the Antiquities, a work that is dedicated to the glorification of the Jewish past. It would be slander and an insult to the Jewish people, and it would defeat the very purpose of his work, if Josephus allowed the public record to go unchallenged. He was hardly able to deny that the Jews had been involved in some kind of religious persecution under Tiberius. He could not dare to claim that the persecution had been entirely unfounded, but neither could he allow to keep up the generally held opinion that the Jews in Rome had been involved in a moral scandal.

Josephus had two possible ways open along which to proceed with his defence. He could have written a theoretical, abstract apology of his fellow-religionists. However, this would probably not have been very successful. His main argument would have had to be: it is simply unbelievable that the Jews, an ancient and noble nation, the most devout and law-abiding people of the world, could have been involved in such a shameless affair. The fact is that the Jewish War of 66-70 was still too fresh in the memories of the Romans to enable them not to believe anything bad about the Jews.

By the time of Josephus, Hellenistic historiography had developed another method of apologetic writing: the novel. Moses Hadas has expressed this theory in the following words:

> Apologetics for a cult, or more properly for the cultural minority who are its votaries, is probably the earliest motivation for the ancient novel... In the course of time the 'historical' elements in these tales receded and the erotic came to the fore,

> but the type continued to be used as an instrument of propaganda on behalf of rejected minorities or unpopular cults.[56]

This does not necessarily imply that an author has to write a complete novel for every one of his apologetic points. When writing a larger historical work it is quite sufficient to include episodes of novelistic character which can quite well serve this same purpose.

Josephus also shows, through his novelistic treatment of the Paulina incident that, just as Livy had done in the case of the Bacchanalia, the novel or its characteristic method may be used not only to defend a religion or cult, but also to attack it. On this point, then, the theory of Hadas needs amendment.

This is the method chosen by Josephus in the case of the religious persecution of the year 19 A.D. Josephus recognized that an abstract treatment of the problem on hand would be useless. He then proceeded with great artistic skill to present two episodes which, through their extreme contrasts within the same framework, succeed very well in achieving his purpose. When Livy discusses the suppression of the Bacchanalia in 186 B.C., the reader gets the impression that the lengthy story is included mainly for entertainment, although the moralistic tone is also very strong. Josephus, however, succeeds in a most difficult

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[56] M. Hadas, Three Greek Romances (New York: Doubleday, 1953), p.8.

task by making full use of the literary means at his disposal: he uses his skill as a means to a higher end.

It would be difficult to discover the real reasons that led to the suppression of the Jews both in Rome and in the provinces.

Samuel Angus gives the following reasons for the ill-will towards the Jews which was wide-spread in Rome:

1. the success of Jews in trade operations;

2. their religious scruples, which rendered them unsocial and unpatriotic since it kept them from

   a. frequenting public banquets and festal occasions.

   b. loyalty to the Roman imperial cult;

   c. supporting such Graeco-Roman social institutions as the theater, gymnasium and arena;

3. their rebellious spirit, which was responsible for the numerous risings in Palestine;

4. their success in missionary activities.[57]

Hyde[58] refers to Valentin[59] who mentions five main reasons and gives as the first the one which probably was the principal cause of the official animosity against the Jews: "their refusal to worship alien gods represented by images which was regarded by their neighbors as godless." Drachmann points

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[57] S. Angus, The Mystery Religions and Christianity (New York; Scribners, 1925) pp. 25f.

[58] Hyde, p.101.

[59] Geschichte des juedischen Volkes im Zeitalter Jesu Christi; 4 III, (Leipzig: 1901-11) pp. 155f.

out that the tolerance shown by the Roman government to foreign religions was based on reciprocity: the adherent of the foreign cult was expected also to pay his respect to the Roman religion. "Every convert, on the other hand, won over to Judaism or Christianity was eo ipso an apostate from the Roman religion, an atheos according to the ancient conception."[60] Drachmann also mentions that the true enemy of ancient polytheism was not the philosophical theology of the sceptics, but the monotheism of the Jews and Christians.[61] While the older portions of the Old Testament accepted the pagan gods as true divinities which must only not be worshipped, later Jewish writings tend to consider the pagan cult objects as mere idols made with human hands and without any power behind them: this is atheism, according to ancient definition.

It will be necessary to discuss a few more instances and passages before an attempt can be made to answer the question, whether this skilful and effective arrangement and presentation of the material is the work of the "Thucydidean hack," or whether the student should not recognize the presence of an author who knows his trade and who, aware of his goal, is able to work towards it.

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[60] A. B. Drachmann, Atheism in Pagan Antiquity (London: Gyldendal, 1922), p. 10.

[61] Ibid., p. 127.

CHAPTER IV

THE LIFE OF HEROD THE GREAT

One of the most important subjects treated by Josephus in his writings is the controversial figure of King Herod the Great. He seems to have been one of those personalities, of whom there are some in almost every generation, who was unable to receive an even relatively objective evaluation: they are either admired or hated. Although the Idumean prince did receive some praises at the hands of a historian (Nicolas of Damascus), and even receives laudatory mentioning in certain passages of Josephus, the general picture of him is that of a cruel, impious tyrant. In the popular mind, of course, this interpretation of his character is only confirmed by the story of the Massacre of the Innocents of Bethlehem, which has established him forever as one of the first enemies of the Savior.[1]

It was pointed out above that the record in Josephus is not uniform. In order to form a background for the discussion of a certain number of passages in the writings of Josephus, a short summary of Herod's life, as it can be made out from the ancient sources, will be given here.

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[1]Matt. 2:3-17.

Herod was born around the year 73 B.C.;[2] he was the second of five children of Antipater, the maiordomus[3] of Hyrcanus II. His father belonged to a wealthy Idumean family, which had accepted the Jewish religion only late and under force, after the conquest of Idumea by John Hyrcanus. When Herod attained the supreme position in Judea he attempted to give himself out as a Jew, and in this he was supported by his court historian and secretary: "Nicolas of Damascus, to be sure, says that his family belonged to the leading Jews who came to Judaea from Babylon. But he says this in order to please Antipater's son Herod, who became king of the Jews by a certain turn of fortune..."[4] In this source passage, Josephus speaks of Antipater as πολλῶν μὲν εὐποιῶν χρημάτων, while in another place,[5] Antigonus speaks of him as an ἰδιώτης.

The young boy was evidently carefully educated; special attention seems to have been given to his physical education. Josephus mentions[6] that Herod excelled as a hunter and master of horsemanship, and throughout his life he was a courageous man who bravely confronted his enemies.

In the year 47 B.C. his father Antipater appointed

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[2] Bell. Iud. i. 647; Ant. xvii. 148.
[3] W. Otto, Herodes (Stuttgart: Metzler, 1913), col.17.
[4] Ant.xiv. 9; so Jacoby, II C, 255. Hölscher, R.E. IX, 1917f. argues that a Jewish writer has here falsified the text of Josephus.
[5] Ant. xiv. 403; cf. xiv. 489; xv. 374; Bell. Iud.i.432.
[6] Bell.Iud. i, 429f.

him στρατηγός of Galilee;[7] at that time Caesar conferred upon his father the Roman citizenship.[8] Herod immediately began to fight the brigands which had several strongholds in the northern part of the kingdom. He won the respect of the Roman governor of Syria, but the execution of Ezekias, the bandit-leader, without prior consultation with Jerusalem aroused the hostility of the Sadducees in the capital, who prevailed upon Hyrcanus to call the young man in for an investigation. The details of this affair are very obscure because of the contradictory reports given by Josephus at different places. One of the accounts[9] describes Hyrcanus as a friend of Herod: ἦν δὲ Ἡρώδην, while the other one indicates that the relations between the king and his young governor were far from friendly.[10] Although the law was clearly against him, Herod was able to leave the city again without a verdict having been passed. For a while he stood

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[7] Ant. xiv. 158; Bell. Iud. i. 203. In Ant. it is said that Herod was then only fifteen years old; however, in xvii. 148 Josephus states that Herod was about seventy when he died (4 B.C.); consequently, it is probable that Herod was twenty-five at the time of this appointment.

[8] Ant. xiv. 137.

[9] Bell. Iud. i. 211; cf. Ant. xiv. 177.

[10] Bell Iud. i. 207f. For a detailed discussion of the problem underlying these differences, see Laqueur, pp. 177ff. "Mit der das Verhältnis freundlich schildernden Version stimmen übrigens die einschlägigen Angaben über diesen Vorfall in der Mischna, Sanhedrin 19a überein, wo allerdings andere Personen eingesetzt sind..."; Otto, col. 19, n.

in the service of the Romans,[11] and later he forced his return into Judaea with the help of an army. Only his father's exhortations prevented him from marching on Jerusalem and dethroning Hyrcanus.[12]

From this time on Herod made it the main goal of his policy to establish and maintain good and, if possible, friendly relations with the Roman authorities. It is a sign of his outstanding abilities as a diplomat and politician that he was able to realize this goal in spite of the numerous changes in power which took place in Rome and the Near East during his life time. It should also be noted that he endeavored honestly to deserve the friendship of his great protector, Octavian, during the later years of his reign.

In the year 43 Antipater was murdered.[13] Herod and his brother Phasael took revenge on the murderer, and in the same year or the following he defeated the last member of a younger line of the Hasmonaean dynasty, Aristobulos II. Hyrcanus expressed his appreciation for the defeat of his rival by promising Herod his granddaughter Mariamme for marriage.[14] Whether this attempt of Herod's to enter the royal

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[11] Bell. Iud. i. 213.

[12] Ibid. The statement in 212 that the people supported Herod is, in view of the consistent hostility of the Jews to him reported otherwise, to be considered highly suspicious.

[13] Bell. Iud. i. 226ff.; Ant. xiv. 280ff.

[14] Ant. xiv. 297-300. Bell. Iud. i. 238-41 is incorrect when it speaks of Herod's ἐπιγαμία at this point. The actual marriage did not take place until five years later; Ant. xiv. 467; Bell. Iud. i. 344.

family of Judaea was a wise step or a mistake, it is difficult to decide. Undoubtedly, it was politically correct to aim at some semblance of legitimacy if Herod aspired to become king of the small nation. However, later events proved that his marriage with Mariamme was also the source of many difficulties and problems that the king was to encounter in later years. Josephus sees in Mariamme the source of all of Herod's domestic troubles.[15]

An attempt of the Sadducees to bring Herod and his brother into discredit with Antony, the master of the East after Philippi, failed, and the two men were appointed tetrachs; Herod again was in charge of Galilee.

In the year 40 Antigonus, a member of the Hasmonaean family, pretended to enter a coalition with the Parthians and attempted to expel the sons of Antipater, and in this he was supported by the majority of the people.[16] Phasael had to stand a siege on the citadel of Jerusalem and was finally taken prisoner by the Parthians. Herod was able to flee with his mother and Mariamme.[17] Having been turned away by the Nabataeans, he went to Egypt, whence he hoped

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[15] Bell. Iud. i. 431f.

[16] Bell. Iud. i. 253, 256, 265; Ant. xiv. 337, 559.

[17] Bell. Iud. i. 262; Ant. xiv. 351.

to be able to go to Rome in order to present his case there. His brother preferred death to imprisonment.[18] Hyrcanus was mutilated and thus made ineligible ever to function as a high priest again.

Herod rejected Cleopatra's offer to enter into her service and went to Rome; the Senate appointed him sole king of Judaea.[19] Thus Rome had won a new and devoted ally against the Parthians, who was sure to prove himself reliable for the simple reason that without the strong support of the Romans his own position in Judaea was extremely precarious. This appointment also meant the definite end of the Hasmonaean dynasty, which had lost all power already sometime before. At the same time Samaria, until then already under the personal administration of Herod, was officially reincorporated with Judaea; however, Herod was obliged to pay a certain tax (φόρος) for the territory of Samaria.[20]

It took the new king several years (39-37), before he found himself in actual possession of his country; he had to conquer it from Antigonos, who had the support of the Parthians. It was only with the active support of the Romans, finally given to him after much delay, that enabled Herod to establish himself firmly. The decisive battle took place

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[18] Ant. xiv. 367. He dashed his head against a rock, because his hands were chained and he saw no other way to escape execution at the hand of his enemies.

[19] Ant. xiv. 385; cf. Strabo xvi. 765; Appian Bellum Civile v. 75; Tacitus Historiae v. 9.

[20] Appian Bell. civ. iv. 75.

at Isana, where Herod barely escaped imprisonment.[21] Finally, probably in July 37, Herod was able to enter the capitol of his kingdom, Jerusalem. Antigonos was executed by Antony.

Once all military resistance was broken, Herod proceeded to establish his lordship firmly. In order to prevent the high priesthood from becoming a center of rebellion for the old Jewish nobility, he appointed a Babylonian, Ananel, to be high priest. It was probably this appointment which made Herod's mother-in-law, Alexandra, his sworn enemy. Her son Aristobulos was certainly next in line for the office, and his young age was no strong argument against his appointment. Alexandra entered into negotiations with Cleopatra in Egypt.[22] It is doubtful whether Cleopatra, through Antony, was able to exert sufficient influence upon Herod to depose Ananel and appoint Aristobulos, or whether Herod, trying to avoid the continued enmity of the Hasmonaeans, took this step on his own accord.[23]

But it soon became clear that the young high priest was far more popular with the masses than Herod considered desirable and safe. The king recognized that Aristobulos

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[21] Bell. Iud. i. 340f.; Ant.xiv. 462 f.; discussed by Laqueur, pp.209f.; a similar anecdote about Friedrich II of Prussia is mentioned by Otto, col. 32. n.

[22] The picture story, found in two different versions in Bell. Iud. i. 439 and Ant.xv. 26f. is probably legendary and belongs to those novelistic passages to be discussed at a later point in this study.

[23] Bell. Iud. i. 437.; Ant. xv. 23-41.

could easily become a dangerous opponent, and he was not the man to let such a danger develop. In 36 or 35, the Hasmonaean priest was drowned while playing in the water.[24] Herod was called before Antony to answer the charges brought against him by Alexandra through her friend Cleopatra. Herod had no difficulty in buying his freedom. Undoubtedly Antony was aided in his decision also by the thought that Herod would prove a far more reliable ally of Rome than any individual that his enemies could set up.

Herod's trip to Antony is the first of the two occasions at which the king is reported by Josephus to have given orders to kill his wife Mariamme, if he should not return.[25] The novelistic treatment of both instances is so obvious that Otto is certainly correct in denying their historicity;[26] he would see in the rebellion of certain Hasmonaean elements, concentrated in the fortress of Hyrcania, the real reason for Joseph's execution, on the assumption that the regent was involved in this rebellion.

In 36 B.C. Cleopatra returned to Egypt from Syria, where she had accompanied Antony. She visited Judaea and met Herod, who was able to rent back the rich area around which Antony had taken away from him and given to the Egyptian queen. Again, the account in Josephus[27] contains many

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[24] Bell. Iud. i. 437. Ant. xv. 49-56.
[25] Bell. Iud. i. 441-444; Ant. xv. 65-67; 80-87.
[26] Col. 43.
[27] Ant. xv. 96-103.

elements of fiction, and it is difficult to decide how much of it is based on facts. Otto would take the memoirs of Herod as the final source and see in the account several occurrences.[28]

When Antony called upon the local kings of the Near East to support him in his fight against Octavian, Herod prepared himself immediately. He probably hoped to prove himself a valuable ally of Antony and thus to strengthen his own position. But once more he had to submit to Cleopatra's scheming. On her advice Antony put Herod in charge of the campaign against the Nabataean Molchus. Herod was badly defeated at Canatha, but slowly he was able to gain the upper hand, and in the end decisively beat the Arabs near Philadelphia.[29] This victory was important for one reason: he had proved to the Romans that he was fully able to protect the eastern border of the Empire against foreign attacks.

This success of Herod's probably also made it easier for him to switch sides in the Roman struggle for power. He recognized that Antony was destined for defeat and immediately went over to Octavian. In the spring of 30 B.C. the two met on the island of Rhodes, and the _princeps_ confirmed the kingship of Herod, an action which was later ratified by the Roman Senate. When Herod helped Octavian soon thereafter on a campaign against Egypt, the

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[28] Otto. 46f.
[29] _Bell. Iud._ i. 320-385; _Ant._ xv. 121-160.

new master of the world showed his appreciation by returning to Herod all the Jewish territory that had been lost to Egypt; he also received other territories along the Mediterranean coast.

At this time Herod had the former king and high priest, the aged Hyrcanus II, put to death. This act increased the hostility between Alexandra and her daughter Mariamme and the king. In connection with Herod's journey to Rhodes he gave, for the second time, orders to kill his wife if anything should happen to him; this time the order also included Alexandra.[30] When Mariamme learnt of this order, her relations with the king came to an almost complete breakdown. Cypros and Salome did their best to worsen the situation even more, and accused Mariamme of intentions to poison the king. The queen was sentenced to death and executed in the year 29 B.C.[31] The most surprising feature of this whole incident is that Mariamme's mother, Alexandra, escaped free. It is possible that some of the plots against Herod that are ascribed to her are a later invention. Otherwise it would be difficult to see how Herod could have spared her at this time when he even killed Mariamme, with whom he was passionately in love.

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[30] *Ant.* xv. 183ff.

[31] "Mariamme ist unbedingt schuldlos gewesen; sie ist gefallen als ein Opfer des unvermeidbaren Gegensatzes zwischen dem alien Königsgeschlecht und dem neuen Herrscher, zu dem die rasende Eifersucht des Mannes, der sich betrogen glaubte, hinzutrat." Otto, col. 54.

But a short while later Alexandra made a serious attempt to start a rebellion against the king: she tried to get possession of the two citadels in Jerusalem. The commanders, loyal to the king, informed Herod, who immediately had Alexandra executed.[32]

During the next decade and a half, from 28 to 14 B.C., Herod enjoyed relative peace both at home and abroad. His relations with Octavian were friendly, and he enjoyed the confidence of the emperor. He was allowed all the symbols and honors of a king; diadem, scepter, purple, and crown.[33] In one place he even has the title φίλος καὶ σύμμαχος .[34] Most of the privileges and rights enjoyed by Herod were the same as those granted to other vassal kings and princes, with one major exception. In the year 22, and again confirmed in 12, Octavian granted Herod the right to appoint his own successor.[35] This privilege to found a hereditary dynasty represented a major departure from the common Roman policy towards vassal kings. As a rule the territory of such a prince reverted to Rome at his death: it was up to the emperor to decide who should be the next king, or whether the territory should not be directly incorporated into the empire. Octavian was very touchy on this point and resented all attempts by native princes either to appoint their successors or to assume power without the blessing of Rome. That the privilege

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[32] Bell. Iud. i. 444. Ant. xv. 240-252.
[33] Bell. Iud. i. 387, 393, 671; ii. 3; Ant. xv. 187, 195; xvii. 197, 202.
[34] Ant. xvii. 246.
[35] Bell. Iud. i. 454, 458; Ant. xv. 343; xvi. 92, 129.

granted Herod was indeed an exception is best seen from the fact that once the emperor revoked it in connection with a local campaign which Herod had led against the Nabataeans, thus violating the basic rule for all client kings, to keep peace and to abstain from wars of their own.[36] Although Herod's ambassador, Nicolas of Damascus, was able to heal the breach between Octavian and the king of Judaea, the relations between the two latter men never again became so friendly as they had been before this incident.

Herod made good use of the years of peace and prosperity for what seems to have been his major pastime: the erection of cities and public buildings, both in Judaea and abroad. He rebuilt Samaria and called it Sebaste in honor of Octavian;[37] another famous foundation was Caesarea.[38] Herod financed the construction of Pagan temples [39] and the celebration of the Olympian games.[40] In Palestine he constructed a number of fortresses and military colonies,[41] but the most famous work in his own realm was the temple in Jerusalem, construction of which began in 20/19 B.C. Although

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[36] Ant. xvi. 283-299; 335-353; Nicolas of Damascus, frg. 5. (F.H.G. III. 351).

[37] Bell. Iud. i. 403; Ant. xv. 292f., 296-298.

[38] Bell. Iud. i. 613; Ant. xvii. 87.

[39] He rebuilt the burnt-down temple of the Pythian Apollo on Rhodes. Bell. Iud. i. 424; Ant. xvi. 147.

[40] Bell. Iud. i. 427; Ant. xvi. 149.

[41] Bell. Iud. i. 265, 419 ff.; Ant. xiv. 360; xv. 323-325; xvi. 13.

Herod was scrupulous in obeying the Law during the work,[42] the building was never popular among the Jews, who could not forget that it had been erected by the hated king.

Other attempts of Herod to improve his relations with his people were not much more successful. It seems that the economic condition of the country at that time was satisfactory, otherwise Herod would not have been able to collect the great amount of taxes that was at his disposal. In cases of urgent need he took important steps to help the people; in the year 24 he reduced all taxes by one-third.[43]

The general impression which the student gets from reading the available source material, even after account of the Tendenz of the various sources, is that Herod was a very severe ruler, under whom numerous executions of political enemies took place.[44] The population was completely deprived of the right to free assembly; many spies were employed to learn the attitude of the people.

This latter fact is another indication of what seems to have been one of Herod's main character traits, his almost measureless suspicion. He always and everywhere suspected plots against his rule and against his life. Once his suspicion was aroused, he was no longer able to check it. Several members of his closest family, among them his favorite wife, Mariamme, and his sons by her, fell victims to

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[42] Only priests were allowed to work on the sections closed to the Jews in general. Ant. xv. 390.

[43] Ant. xv. 365. Schürer dates this event later, about 20 B.C. I, 403.

[44] Ant. xvii. 305ff., 366.

this obsession. It completely clouded the last years of his life. Even though it is almost impossible to believe all the details of the endless plots and counter plots which Josephus claims took place between Herod and his family and which required even action on the part of the emperor, sufficient evidence remains to show that Herod actually killed his wife Mariamme, her mother Alexandra, the aged Hyrcanus II, his sons Alexander and Aristobulus and, five days before his death, his eldest son, Antipater.[45] Under these circumstances it is not surprising to find that other murders, whether actual or fictitious, are ascribed to him; the most famous instance of these is the Slaughter of the Innocents of Bethlehem.[46]

Herod himself died after a severe illness, which was much elaborated upon by his enemies, at the end of March or the very beginning of April, in the year 4 B.C.[47]

This life forms the basis of a number of stories and anecdotes which can be found in the books that deal with it, especially, of course, Josephus and the First Gospel. In the following sections some of these passages will be examined, and an attempt will be made to show their structure, motives, and if possible, origins.

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[45] Bell. Iud. i. 661-664; Ant. xvii. 182-187.

[46] Here it has to be recognized how closely this alleged murder is connected with the story of the Three Magi. It will not do to say, "...it would be in keeping with his character to vent his anger upon as many persons as possible. The killing of 20 or 30 children -- and there would hardly be more in Bethlehem -- would be nothing to one who massacred on a large scale" (A. H. McNeile, The Gospel According to St. Matthew, [London: Macmillan, 1955]); a more careful analysis of the story and its probable development is found in Otto, cols. 142f. n.

[47] Bell. Iud. i. 665; Ant. xvii. 195.

CHAPTER V

THE RELATIONS BETWEEN HEROD AND MARIAMME I

Among the several instances in the life of Herod the Great to which Josephus gave a novelistic treatment, probably the most outstanding is the relationship between the king and his favorite wife, Mariamme.[1] Herod was passionately in love with this woman,[2] and when he finally executed her, he suffered much from her loss.

It is almost impossible to gain a clear picture of the historical facts underlying the account in Josephus. The way in which he describes the family tragedy has for a long time invited later authors to use the material for a plot:[3]

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[1]Herod had two wives of this name. Mariamme I was the granddaughter of Hyrcanus II, daughter of Alexandra. At their marriage, Herod divorced his first, Idumaean wife, Doris. Mariamme was executed in 29 B.C. -- Mariamme II is a far less known personality. She is only briefly mentioned (Bell. Iud. i. 562, 573, 588, 599; Ant. xviii. 136) and was the daughter of Simon the priest.

[2]Ant. xv. 238.

[3]An almost complete list of dramas based on the Herod-Mariamme material is given by M. Landau in "Die Dramen von Herodes und Mariamme," Koch's Zeitschrift für vergleichende Litteraturgeschichte, Neue Folge, VIII, 195. The influence of the material upon the medieval liturgical drama and French mystery plays is discussed in I. Sondheimer, Die Herodes-Partien im lateinischen liturgischen Drama and in den französischen Mysterien (Beiträge zur Geschichte der romanischen Sprachen und Literaturen, III, [Halle: Max Niemeyer, 1912]). English and German dramatic treatments are the subject of a dissertation by W. Grack, Studien über die dramatische Behandlung der Geschichte von Herodes und Mariamme in der englischen und deutschen Literatur (Königsberg: privately printed, 1901).

> Es darf...nicht wunderbar erscheinen, dass die Geschichte von Herodes und seiner Cattan Mariamme in her italienischen, spanischen, französischen, deutschen und englischen Litteratur über 30 Bearbeitungen -- vorwiegend Dramatisierungen -- gefunden hat, denn auch mittelmässige Dramatiker konnten ihre Kräfte an diesem Stoff mit gutem Erfolge erproben; dass derselbe wirklich der Dramatisierung wert ist, zeigt der Umstand, dass ihn auch grosse Geister, wie Calderon, Voltaire, und ein Dramatiker wie Hebbel, nicht verschmäht haben.[4]

While it is quite true that life itself often writes the greatest dramas, it is likewise true that it takes a person with dramatic sense to write the history of life in such a way that the dramatic element finds an adequate expression. A closer study of some instances of the Herod and Mariamme story in Josephus will show that it was written by a person who did possess such artistic ability.

The Portraits Allegedly Painted for Antony

The Bellum Iudaicum and the Antiquities contain both an account of portraits painted for Antony, who at the time concerned was in Egypt. The two accounts are sufficiently similar to indicate that they are related with one another, but they are too different to refer to the same incident, if they are accepted to be historical.

In the Bellum Iudaicum[5] the following account is given:

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[4] Grack, pp. 5f.
[5] Bell. Iud. i. 438-440, tr. Thackeray.

> It was on these grounds that Mariamme upbraided Herod, and then proceeded violently to abuse his mother and sister. He was paralyzed by his infatuation; but the women, seething with indignation, brought against her the charge which was bound in their opinion to touch Herod most nearly, that of adultery. Among much else which they invented to convince him, they accused Mariamme of having sent her portrait to Antony in Egypt and of carrying wantonness so far as to exhibit herself, though at a distance, to a man with a madness for her sex and powerful enough to resort to violence. This accusation struck Herod like a thunderbolt. His love intensified his jealousy; he reflected on Cleopatra's craft which had brought both King Lysanias and the Arab Malchus to their end; he was menaced, he reckoned, with the loss not merely of his consort but of his life.

According to Thackeray[6] this passage is part of the "domestic drama" taken over from Nicolas of Damascus. The style is in good Attic Greek, "modelled on, if not quite on level with, that of the great masters of the age of Pericles"[7] and indicates the hand of the "sophoclean assistant."

The story in the Antiquities[8] can be summarized as follows: Alexandra, mother-in-law of Herod, wishes to gain the highpriesthood for her son Aristobulus, but her attempts to win Herod for this project fail. She turns to the Roman overlord of the East, Antony, then residing in Alexandria, with the request to put pressure upon Herod to grant her wish. But again she seems to fail: no answer comes from Antony. However, one of his friends, Dellius, visits

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[6] Josephus, the Man and the Historian, p. 65.
[7] Ibid., p. 104.
[8] Ant. xv. 23-38.

Palestine and meets Alexandra's children Aristobulus and Mariamme. He is impressed by their beauty and causes Alexander to have portraits of her children made and sent to Antony. Alexandra, prompted by her desire to see her son as a highpriest, complies with Dellius' wish. When Antony receives the paintings, he is so inflamed that he desires for both the young people to visit him. However, considerations for Cleopatra determine him to ask for Aristobulus only. But Herod knows too much about the sexual practices of Antony and forbids the sixteen year old lad to go to Egypt. He is in no position to affront the mighty Roman and, in order to prevent any evil consequences, agrees to make Aristobulus highpriest, who is expected not to leave the country. When Alexandra learns that she has finally reached her goal, she assures Herod that she does not aspire for the kingdom for her son, but is content with the highest priestly office.

This whole narrative, according to Thackeray,[9] is the work of the "Sophoclean assistant," who bases his account on the writings of Nicolas of Damascus. That means that both the account in the Antiquities and in the Bellum Iudaicum were penned by the same hand, based upon the same source. Thackeray expresses the principle underlying such a conclusion as follows:

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[9] Josephus, IV, p. xv.

> Now, while it was customary for ancient historians to make free and unacknowledged use of the published work of their predecessors, without any sense of what we should call "plagiarism," it was almost a point of honour with them to vary the phraseology. Still more did this rule apply where the writer was twice covering the same ground: he must not "plagiarise" from himself.[10]

But it might reasonably be asked whether this rule can be applied in the present case of the two portrait stories. Both accounts are historically highly improbable. It seems odd, indeed, that a Jewish princess, Alexandra, should have used such a flagrant violation of the Law as the portraiture of her children (painted for a sensual Gentile!) to secure for her son the office of highpriest. The account further assumes that both Cleopatra and Antony had great influence upon the interior affairs of Judaea, for which there is no further evidence.

It is probable that the Mariamme story forms the direct source of the account in the Antiquities. But there is no reason why the student should stop at this point with his investigation of Josephus for related material and have recourse to outside sources and assistant scribes in order to account for the text and its structure. It would certainly be methodologically sound to examine the writings of Josephus themselves and to try to find analogous passages there.

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[10] Josephus, the Man and the Historian, p. 107.

Both accounts have three motifs in common: passion, jealousy and suspicion.

In both instances Antony is described as a sensual man who, according to Antiquities,[11] had relations with both women and boys. In both cases the leaders of the plot, Alexandra and Dellius in the Antiquities, Cyprus and Salome in the Bellum Iudaicum, try to exploit Herod's jealousy for their personal ends: Alexandra to see her son become high-priest, Dellius to gain favor with Anthony, Cyprus and Salome to gain advantage over Mariamme. Further, in both narratives Herod, moved by his suspicion, promptly falls into the snares laid out for him, and the plotters achieve, at least temporarily, their aims.

The text in the Bellum Iudaicum contains certain expressions which are found in several other places in the writings of Josephus. The whole basis of the relationship between Herod and Mariamme is expressed in the following sentence: Ἡρώδης δὲ θερμῶς ἀεὶ καὶ ἐρωτικῶς πρὸς τὴν Μαριάμμην ἔχων εὐθὺς ἐξετετάραχτο καὶ τὴν ζηλοτυπίαν οὐκ ἔφερεν, ἐπικρατούμενος δ'ἀεὶ τοῦ μὴ προπετές τι ποιῆσαι διὰ τὸν ἔρωτα, συντόνῳ τῷ πάθει καὶ τῷ ζήλῳ παροξυνόμενος.[12]

ζηλοτυπία - jealousy - is a term used as a driving force in several of the erotic passages in Josephus. It is, reasonably enough, usually connected with an excess of love, as in the following cases:

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[11] Ant. xv. 23-38.
[12] Ant. xi. 82.

ἂν δ'ὑπὸ πολλοῦ τοῦ ἔρωτος καὶ τῆς διὰ τοῦτον ζηλοτυπίας προπετῶς ὁ ἀνὴρ διὰ τὴν ὑπόνοιαν εἰς κεκινημένος.

"But if, through excess of love and ensuing jealousy her husband had been precipitately moved to suspect her, etc." [13]

ἦν δὲ καὶ μανιώδης ὑπ' ἔρωτος ἐπὶ τῇ γυναικὶ καὶ διὰ τοῦτο ζηλότυπος ἀκράτως.

"He was moreover madly enamored of his wife and hence inordinately jealous."[14]

In the same story of the birth of Samson the following phrase occurs:

ὡς ἐκεῖνον ἐκτὸς ἐπαίνων εἰς ἔκπληξιν κατὰ ζηλοτυπίαν περιστῆναι καὶ ὑπόνοιαν τὴν ἐκ τοιούτου πάθους κινουμένην.

"... that he in his jealousy was driven by these praises to distraction and to conceive the suspicion that such passion arouses."[15]

His suspicion could not even be dispelled by the appearance of an angel:

ὁ δὲ θεασάμενος οὐδ' οὕτως ἐπαύετο τῆς ὑπονοίας ἠξίου τε καὶ αὐτῷ δηλοῦν ἅπερ καὶ τῇ γυναικὶ μηνύσειεν.

"But the husband, on beholding the angel, even then did not resist from his suspicion, and he requested him to repeat to him all that he had revealed to his wife."[16]

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[13] Ant. iii.271 (Ordeal of suspected adulteress: based on Numb. 5).

[14] Ant. v. 277. "The husband's jealousy and subsequent suspicions are unscriptural. Rabbinical legend attributes his complaints to his wife's barrenness, not to her beauty." R. Marcus, Josephus, V, 125, n.f.

[15] Ant. v. 279.

[16] Ant. v. 281.

It must be noted and emphasized that all of these instances are taken from passages which have quite generally been ascribed to Josephus himself. Furthermore, the elements of excessive love, jealousy, and suspicion are absent from the source which Josephus used, the Bible. The only reasonable conclusion, drawn by Braun, is that it was Josephus who introduced these elements into his narrative.

The same should be said for the later sections of his writings, where the Bible no longer formed the main source. The same elements are still present and, as Braun has pointed out, the agreements are frequently verbal.[17]

In the portrait story under discussion this phrase occurs:

ἐτάραξεν Ἡρώδην, μάλιστα μὲν διὰ τὸν ἔρωτα ζηλοτύπως ἔχοντα.	"This charge hit Herod, and that especially because his love caused him to be jealous."[18]

In the following scene of the final break between Herod and Mariamme, Josephus writes:

καὶ τοῦτον Σαλώμη ἡ ἀδελφὴ τὸν καιρὸν εἰς τὰς διαβολὰς μεταλαβοῦσα τὴν εἰς τὸν Ἰώσηπον ἐπεβεβαίωσεν ὑποψίαν. ὁ δ' ὑπ' ἀκράτου ζηλοτυπίας ἐμμανεῖς παραχρῆμα κτεῖνειν προσέταξεν ἀμφοτέρους.	"his sister Salome took the opportunity also to blast her reputation, and confirmed his suspicion about Joseph; whereupon out of his ungovernable jealousy and rage, he commended both of them to be slain immediately."[19]

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[17] Griechischer Roman, p. 20.
[18] Bell. Iud. i. 440.
[19] Bell. Iud. i. 443.

The same combination of the three motifs, love, jealousy, and suspicion, can be found in yet another story, that of the conflict between Herod and his son Alexander over the latter's wife, Glaphyra:

τὸν Ἡρώδην ἠρῆσθαι τοῦ τῆς Γλαφύρας ἔρωτος... τοῦτο οὖν ἐκεῖνος ἀκούσας ὑπό τε νεότητος καὶ ζηλοτυπίας ἐξεκαίετο... καὶ τὰ κατὰ τίμην εἰς τὴν παῖδα γινόμενα παρ' Ἡρώδου,..., ἐπὶ τὸ χεῖρον ἐλάμβανεν ἐξ ὑπονοιῶν, κτλ.

"... that Herod was in love with Glaphyra, ... when he heard that, he was all on fire, from his youth and jealousy, ... and he interpreted the favors which Herod had shown the girl for the worse because of his suspicions..."[20]

All of these instances are taken from the following passages, which are said to be derived from the sources and written by the person indicated:

Passage	Source	Author
Antiquities iii. 271ff.	Numb. 5	Josephus
Antiquities v. 277ff.	Judg. 13	Josephus
Antiquities xv. 82	Nicolas of Damascus	Sophoclean assistant
Antiquities xvi. 206f.	Nicolas of Damascus	Sophoclean assistant
Bellum Iudaicum i. 440ff.	Nicolas of Damascus	Sophoclean assistant

The Paulina and Fulvia stories, discussed in another chapter, do not offer exactly parallel phrases, but they do contain novelistic elements which, in case of the Paulina incident,

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[20]Ant. xvi. 206f.

are definitely erotic in character. It would hardly appear too fanciful, then, to assume that the same mind that worked out the arrangement and the motifs of the stories mentioned above, especially the portrait narratives is also responsible for the Paulina story.

The non-historical character of the portrait stories has been recognized for some time. Wellhausen had doubted that Alexandra would break the Jewish Law so flagrantly as to have her children painted for a Gentile.[21] Otto quite correctly demands that, if the portrait story is dropped, all the incidents connected with it must likewise be written off as non-historical. He is probably right when he gives as the reason for Aristobulus' appointment to the highpriesthood, Herod's desire to please his wife Mariamme, to keep peace with his mother-in-law Alexandra, and, above all, to make himself the protector and only support of the young Hasmonean.[22] The fact that Herod's expectations were later not fulfilled does not affect the reasonableness of Herod's decision at the time it was made.

Herod's Orders to Kill Mariamme

The three records of Herod's orders to kill Mariamme during his absence if anything should happen to him during his journey, refer to two different incidents.

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[21] J. Wellhausen, Israelitische und jüdische Geschichte (Berlin: Weidmann, 1894), p318, n.2.

[22] Otto, cols. 41f.

The earliest of the three accounts is found in the Bellum Iudaicum i. 441-444. It follows immediately upon the narrative of the slander concerning Mariamme which Cyprus and Salome reported to Herod, the unhistorical character of which was pointed out on the preceding pages.

Shortly after Herod was told that Mariamme was unfaithful to him, he has to journey to Egypt to have an interview with Antony, who is the Roman lord of the East, the lover of Herod's enemy Cleopatra, and the supposed correspondent of Mariamme's adultery at the same time. Herod has reasons to believe that his life is in danger and that he might not return from Egypt. Out of his great jealousy and love he orders his brother-in-law, Joseph, to kill Mariamme if he should not return from Antony. Joseph fully understands that the king is motivated by his love for the queen, and he thinks he does Mariamme a favor by telling her of his secret orders. Mariamme, however, does not see things quite the same way and tells Herod upon his return that she knows of his plans. Herod cannot imagine how his wife could have learned of his secret except through intimacy with Joseph. He completely forgets himself and orders both Mariamme and Joseph to be executed. After the sentence is carried out he repents and cannot believe that his beloved Mariamme is really dead.

This narrative has a variant form in the Antiquities xv. 65-87.

Alexandra has informed Cleopatra of the death of her son Aristobulus on the orders of Herod. The Egyptian requests Antony to demand from Herod a justification of his

actions. Before Herod leaves Palestine to meet the Roman general in Laodicea, he orders his brother-in-law Joseph to act as his regent and to kill Mariamme, if anything should happen to him during his absence from his kingdom. He loves his wife so much that he does not want her to belong to any other man, not even after his death, and especially not to Antony, whose infatuation for Mariamme he knows.

His office as regent brings Joseph into frequent contact with Mariamme and her mother Alexandra. After the state affairs are discussed, the conversation frequently turns to private matters, and Joseph tells the ladies of Herod's great love for Mariamme. The ladies seem to know better and laugh at Joseph who then, to prove his story, tells them of Herod's order to kill Mariamme, an order completely motivated by his great love for the queen. But Mariamme sees in this order nothing but a proof of Herod's cruel tyranny; she and her mother fear for their lives. Very soon a rumor spreads that Antony had Herod executed, and Alexandra demands of Joseph that he and the court go take asylum under the protection of the Roman officer Iulius whose legion is stationed outside Jerusalem. There Alexandra hopes to meet Antony and to receive the kingdom from him.

In the meantime news from Herod himself arrives. He bought his freedom from Antony who rejected all complaints against Herod with the remark that a king cannot

be made to answer for his actions and that Cleopatra had no right to interfere with the affairs of other princes.

After a while Herod himself returns and learns from his sister Salome, Joseph's wife, and from his mother that Alexandra and Mariamme had planned to take residence in the Roman camp. At this opportunity Salome does not fail to accuse Mariamme of intimate relations with her husband Joseph. Herod is enraged and demands an explanation from his wife. Mariamme is able to convince the king of her innocence. Herod asks her forgiveness for his anger and assures her of his love. Mariamme spoils the previous reconciliation and tells Herod that she doubts his love, for he had given orders to kill her. Herod believes that his mother and sister were right in their accusations; he has difficulties in abstaining from killing his wife. However, he merely orders Alexandra and Joseph to be executed.

While the two preceding accounts must be dated in the year 35/34 B.C., the third one is connected with Herod's journey to Rhodes, where he met the victorious Octavian in the year 30 B.C. The narrative is found in Antiquities xv. 183-208.

After Octavian's victory over Antony, Herod fears for his throne and attempts to win Octavian's favor and support. He suspects that Alexandra might use his absence to start a rebellion among the people and appoints his brother Pheroras regent, giving orders to assume full power if he should not return from Octavian. Mariamme and her

mother are sent to the fortress of Alexandrium where they are placed under the supervision of Joseph and Sohemus of Iturea. He orders them to kill the woman if he himself should die. In this case they are to support his brother Pheroras.

Herod's negotiations with Octavian prove surprisingly successful. His unexpected return to Jerusalem causes consternation. Mariamme and Alexandra have recognized that their residence in the fortress serves not mainly for their protection, but rather for their supervision. Sohemus did not expect Herod to live and told Mariamme of his secret orders. It is not surprising that the queen offers the king a rather cool reception. Herod thinks of punishing her, but his great love makes him give up this idea. However, relations between the two deteriorate, until the final break occurs.

Textual Evaluation of the Three Passages -- Bellum Iudaicum i. 441-444.--According to Thackeray, the passage is part of the domestic drama in which Nicolas of Damascus described the private life of Herod.[23] Otto admits that Nicolas is the final source, but he claims that it was edited by an "anonymous."[24]

The only clear evidence of the style of Nicolas of Damascus is the term ὁ βασιλεύς for Herod,[25] which, however,

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[23] Josephus, the Man and the Historian, p. 65.
[24] Col. 10, n.
[25] 441.

is counterbalanced by the use of the proper name in the very next line.

There is a certain amount of verbal agreement between this account and the parallel narrative in Antiquities xv. 65ff., sufficient, it would seem, to indicate that the account in the Antiquities is derived from that in the Bellum Iudaicum.

B. I. i. 442.	τοῖς ἐντολαῖς	Ant. xv. 69.	τὴν ἐντολήν
i. 441.	ὁ δὲ ἀπὸ θανῶν αὐτῆς ὑπομένοι διαζευχθῆναι.	xv. 69	οὐδὲ χωρεῖς ἐκείνης ζῆν δύνασαι, ..., οὐδὲ θανάτῳ διεζεῦχθαι.
B. I. i. 443.	Σαλώμη τὸν καιρὸν εἰς τὰς διαβολὰς ἐπιτήδειον τὴν εἰς τὸν Ἰώσηπον ἐνεβεβαίωσεν ὑποψίαν.	Ant. xv. 81.	ἡ δὲ Σαλώμη καὶ κατὰ τοῦσδε Ἰωσήπου λόγον εἶπεν τὸν ἐν διαβολὴν τοιοῦσα κτλ.

Very important is the presence of such terms as ζηλοτυπία and ἔρως as leading motifs in the action.

Antiquities xv. 65-87. -- This passage, as part of book xv., is generally assigned to the hand of the Sophoclean assistant. Certain parallels with the account in the Bellum Iudaicum have been pointed out in the preceding section.

The word διάνοια in section 69 is found in Josephus only in the Antiquities.

Again, such terms as ἐρωτικῶς, ζηλοτυπία , and ὑπόνοια are used as key words to indicate the general tenor of the

entire narrative.

Antiquities xv. 123ff. belongs to the same section and shows the same style and characteristics. It is to be noted that Herod is called both ὁ βασιλεύς and βασιλεύς in this section and the preceding one. The relations are as follows:

	Ἡρώδης	ὁ βασιλεύς	Factor
Ant. xv. 65-87	7	3	2.033
Ant. xv. 182-208	10	6	1.066

It has been pointed out[26] that the use of ὁ βασιλεύς for Herod is a good indication of the use of Nicolas of Damascus as a source. If that be true, the preponderance of Ἡρώδης over the title in both of the sections of Antiquities xv would indicate a use of the source that goes beyond mere copying. The fact that both terms appear in the same sentence shows that some of the changes were made on purely stylistic grounds, simply to avoid repetition and monotony:

...οὐδὲν ὧν Ἡρώδης ἐνετέταλτο παρεὶς, ..., καὶ τέλος ἐξεῖπεν ἀπάσας τὰς ἐντολὰς τοῦ βασιλέως.[27]

...εἰ καὶ πάντα κατὰ νοῦν περάξας ὑποστρέψειεν Ἡρώδης ...., ἠτίατο γὰρ τὸν περὶ τὴν Μαριάμμην ἔρωτα μείζονα λόγου τῷ βασιλεῖ.[28]

The phrase with which the actual telling of the

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[26] P. 15.
[27] Ant. xv. 205.
[28] Ant. xv. 207.

secret order is mentioned reminds the reader of the one in the preceding section:

Ant. xv. 69 -- προήχθη καὶ τὰ περὶ τὴν ἐντολὴν εἰπεῖν, κτλ.

205 -- τέλος ἐξεῖπεν ἀπώσας τὰς ἐντολὰς τοῦ βασιλέως.

The expression in the Bellum Iusaicum differs:

Bell. Iud. i. 441 -- τὸ ἀπόρρητον ἐκφαίνει.

Although this narrative is less openly erotic in character and contains several political motifs, ἔρως still plays an important role: Sohemus hopes that the king will forgive his breach of trust because of his great love for Mariamme.

Novelistic elements in these three accounts.-- The prevalence of certain words of erotic implication, mentioned repeatedly in the previous section, is a primary indication of the novelistic character of these narratives. It is to be noted that ἔρως, ζηλοτυπία, and ὑπόνοια are not merely mentioned, but rather represent the driving elements in the stories. Love, jealousy, and suspicion are the powers which govern all the main persons involved, but especially Herod.

Herod, the powerful king, who is able to hold his own before such men as Antony and Octavian, is completely helpless before the women of his court. He is unable to resist the charms of his wife Mariamme, whom he madly loves. Mariamme herself is beautiful but, and that heightens the entertainment value of the story, completely cold and unresponsive towards her husband. She only loves herself.

This is the type of woman with whom men, in novels and romances at least, fall in love. If she is able to

wield such power over a man like Herod, the reader must expect that she will prove dangerous to any man coming under her direct influence, And this is indeed the case. Twice Mariamme is entrusted to men with the name of Joseph who have secret orders to kill her if the king does not return from a journey abroad. The reasons for this order are stated in the following terms:

Reasons for Order to Kill Mariamme.-- In the Bellum Iudaicum the οὖν in i. 441 refers to the dangers to Herod's life, but the whole action taken follows in direct sequence on the preceding statement: μάλιστα μὲν διὰ τὸν ἔρωτα ζηλοτύπως ἔχοντα.[29]

In the parallel narrative in the Antiquities the erotic argument is clearly stated αὐτός τε μὲν ἔχειν φιλοστόργως πρὸς τὴν γυναῖκα καὶ δεδοικέναι τὴν ὥραν, εἰ καὶ τεθνηκότος ἐκείνου καὶ' εὐμορφίαν ἄλλῳ τινὶ συνοικήσοιτο . The danger that after Herod's death someone else might have his wife is real in view of her beauty. This, to the author, is a sufficient argument against which no other considerations, such as the possible resistance of Mariamme, or dynastic and political plans, avail: they are not even mentioned as possible.

The third account, in Antiquities xv. 183ff., gives a completely different reason for the order: strained relations between Cyprus and Salome on the one hand, and Alexandra and Mariamme on the other, make it seem advisable that the two parties be kept separate during Herod's journey to Rhodes. The main concern of Joseph and Sohaemus is not the guard over the women and if necessary, their assassination,

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[29] Bell. Iud. i. 440.

but rather the defence of the fortress and the securing of the safe succession of his brother Pheroras, in case Herod should not return.

> But because Mariamme his wife was unable to live together with his sister and mother, he placed her, together with her mother Alexandra, in the Alexandrium, leaving his treasurer Joseph and the Iturean Sohemus with them, who had from the beginning been most faithful to him; they were now left in charge of the women. They were also ordered that, if they should learn that any mishap had befallen him, they should kill both of them and, as far as possible, preserve the kingdom for his sons and for his brother Pheroras.[30]

A comparison of the circumstances under which and the reasons for which the order to kill Mariamme was given in the three narratives will make it clear that it is only the third one which seems likely to be based upon a historical fact.

It is only in the narrative dated in 29 B.C. that reasons weightier than erotic ones are offered as an explanation. Herod certainly acts prudently if he attempts to keep the two fighting parties of women apart while he is abroad. It is to be expected that he would entrust his mother and sister to the protection of his brother: all concerned should be happy over this family reunion. Alexandra add her daughter Mariamme are placed under the protection -- and guard -- of two of his most entrusted men: his treasurer Joseph and the Iturean Sohemus. Both men

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[30] *Ant.* xv. 185f.

had proved themselves faithful servants of his for many years, and they could be expected to be faithful in this new task assigned to them. Moreover, they are reminded that any attempt at a rebellion would be doomed to failure, because if Herod should not return the kingdom would fall to his children and his brother Pheroras.

The actions of the guards.-- In all three narratives the men who are placed as guards over Mariamme and who have orders to kill her if Herod does not return, betray the trust placed in them by the king. It is quite clear that the main reason for this unfaithfulness is the εὐμοιφία of the queen. In each case the man concerned enters into conversation about the private relations between the king and his wife. This is quite understandable in the case of the first two versions: the Joseph of these stories is Herod's brother-in-law, the husband of his sister Salome. As such he is a member of the royal household, and it should cause no special surprise if the talk between two relatives should turn to the marital problems of the beautiful queen.

But the novelistic element comes through again: in both parallels Joseph is naive enough to try to prove to Mariamme that Herod does indeed love her very much by telling her of his order to kill her. This makes a very nice episode in a story meant to entertain, but it lacks all understanding of the realities at a royal court. A brother-in-law of Herod must have known that in a royal family other elements besides those of romantic love are important. At

any rate, he must have known by now that to Mariamme, at least, those other, non-erotic considerations were the more important ones. Joseph makes fatal mistakes in three directions: he disobeys his king and proves unworthy of the trust placed in him; he insults and upsets Mariamme and her mother: he insults them by assuming that such a thing as love was of any importance to these proud descendents of the royal Hasmonean house, he upsets them by showing them how close to death they actually are and how mad a character Herod's alleged love has assumed. And finally, of course, his stupid actions towards Herod and Mariamme add up to his own destruction.

The third version also gives a man named Joseph as one of the two guards; however, this Joseph is not identified any further, and he immediately drops out of the picture. It is Sohemus who carries the action. In contrast to the other two narratives, Sohemus does not volunteer his information. He has to be bribed by the two suspicious women who very soon become aware that their stay in the Alexandrian serves not only for their protection but also for the purpose of their close supervision. It is these bribes that cause Sohemus to become unfaithful to his king. The erotic element is mentioned, but as a secondary force, and not as a driving agent, merely as a kind of insurance. Sohemus does not believe that Herod will return from Octavian with all his power unimpaired. But if this remote possibility should be realized, he wants to rely on the love which Herod feels for his wife and which, he believes, should save him from the deserved punishment. In the mind of Sohemus

ἀγαθή is more important than ἔρως .

The results of the betrayal of the secret order. -- The early parts of the three narratives contain several aspects which are historically highly improbable, but it is in the final sections that the fictitiousness of the story becomes even more obvious.

The early parts of the three narratives contain several aspects which are historically highly improbable, but it is in the final sections that the fictitiousness of the story becomes even more obvious.

The earliest version, that in the Bellum Iudaicum, is the one which follows most closely the basic pattern of a jealousy plot. Herod, upon his return from Antony, assures Mariamme of his great love for her, and she cynically confirms his statement:indeed it was out of love that he had given orders to kill her. Herod completely forgets himself, he is overcome by passion;[31] Salome adds her slanders to his jealousy, and the result is the murder of both Joseph and Mariamme.

This account is obviously not historical. But as a novelistic plot it is perfect: the passions of the principal actors are allowed full play, and the catastrophe is reached without any undue delay.

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31 πάθει. Bell. Iud. i. 443. It is to be noted that the author very realistically and, for the purchaser of the work, interestingly, places the conversation between Herod and Mariamme in the marriage-bed, ἐν κοίτῃ .

In comparison with this bold scene, the parallel version in the Antiquities appears weak and artificial.

False rumors concerning Herod's death at the hands of Antony reach Palestine, and Mariamme and Alexandra request Joseph to lead them to the Roman camp, where they would be safe and hope to meet Antony. It is only when the falseness of the rumors becomes obvious that they give up this plan. On Herod's return Salome informs the king of Mariamme's plans with the intention to introduce tension between Herod and his wife.

This motif is difficult to understand. Herod had obviously made no other arrangements for Mariamme than to give orders to kill her in case of his own death. Joseph's disclosure of this order to Mariamme made its execution all but impossible. Mariamme acted prudently when she asked to be given the protection of the Roman army. Salome cannot have known of Herod's order, and there is no reason why she should try to blame Mariamme and Alexandra for their plans.

Salome's next accusation fits better into the scheme of the plot; she accuses Joseph of having had criminal conversations with Mariamme. Herod's jealousy immediately begins to deprive the king of the ability of clear thinking, and he questions Mariamme about the whole matter.

The queen denies having had any illegitimate relations with Salome's husband, and is able to dispel Herod's suspicions. The king is depicted as a man living in ex-

tremes: there seems to be only one step from the phrase

συντόνῳ τῷ πάθει καὶ τῷ ζήλῳ παροξυνόμενος διὰ τὴν Μαριάμμην ἐνέκεινεν ὑπὲρ τῶν πρὸς τὸν Ἰώσηπον τὸ

αὐτός τε ὅπως ἔχοι σπουδῆς καὶ εὐνοίας πρὸς αὐτὴν ἀνωμολογεῖτο καὶ τέλος, ὡς ἐν τοῖς ἐρωτικοῖς φιλεῖ, προύπιπτον εἰς δάκνα μετὰ πολλῆς σπουδῆς ἐμπεφυκότες ἀλλήλοις .[32]

Unreasonable love and affection follow immediately upon unreasonable jealousy and suspicion.

Mariamme should be satisfied with her success in dispelling Herod's doubts of her fidelity, but she cannot suppress her cynical remark that Herod, out of love, gave orders to kill her. It is only natural that the king immediately falls back into his extreme state of jealousy and suspects that during his absence Mariamme had criminal relations with Joseph.

It is to be noted that this is not the only instance in the writings of Josephus where one rash remark destroys a recently gained accomplishment. In the Paulina story Mundus meets the lady three days after the incident in the temple and proudly and stupidly tells her of his trick. It is this remark which leads to the investigation of the Isis cult by the emperor and its suppression in A.D. 19.

Here Mariamme loses all the ground she has gained in her relations with her husband, and through her rash words causes the death of Joseph and the imprisonment of

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[32] *Ant.* xv. 83, 84.

her own mother, Alexandra. It is possible that the moment of surprise which these remarks carry with them, and by which they suddenly change the entire picture, are part of the rhetorical device of the novel's author.

The main variances with the narrative in the Bellum Iudaicum lie in the punishment ordered by Herod. In the Bellum Mariamme and her alleged lover are killed, while in the Antiquities Mariamme in an anticlimactic move is forgiven and only Joseph is executed. As an attempt to balance the leniency shown towards Mariamme, her mother Alexandra is imprisoned.

The unhistorical character of the entire scene is best indicated by the fact that the text following the imprisonment of Alexandra shows the mother of Mariamme in freedom and also in relatively friendly relations with her son-in-law.[33]

Probable historical basis of the three narratives.-- It finally remains to discuss the question whether any of the three stories is likely to have a historical basis and, if so, whether it is possible to reconstruct, in outline, the facts which gave rise to these three narratives which are so novelistic in character.

If the accounts are taken at their face value, Herod gave on two different occasions orders to kill his

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[33]Ant. xv. 166.

wife Mariamme, if he himself should not return from a journey abroad. The first of the journeys was Herod's visit of Antony in Laodicea in the year 35 or 34 B.C., the second one was his submission to Octavian on Rhode in 30 or 29 B.C.

However, the stories cannot be taken at their face value, because the earliest one, in the Bellum Iudaicum, ends with Mariamme's execution. If true, it would leave no room for the other two accounts. Because its parallel in the Antiquities, appears to be the weakest of the three versions, it would seem advisable to weigh its arguments against those of the third account, that dated in 30 or 29 B.C.

It is probable that Nicolas of Damascus is the final source for the lives of both Herod and Mariamme. He was not only a member of the court, but a personal, trusted friend of the king. He was not a historian in the modern sense of the term, but the modern student should not let his critical impulse go so far as to assume that Nicolas could not correctly date Mariamme's death.

If it be assumed, then, that Josephus, when writing his Bellum Iudaicum, found in his copy of Nicolas of Damascus the statement that Mariamme was killed for adultery with Joseph, brother-in-law of Herod, after the king's return from Antony in the year 35 or 34 B.C., any explanation of the other two accounts would have to go along the following lines:

1. At the time of his writing the Bellum Iudaicum he accepted the date of 35/34 as the correct one.

2. Afterwards he discovered that he had been mistaken; Mariamme was not executed until 30/29 B.C.

3. Instead of introducing merely the corrected date in his Antiquities, he kept the original story, taken over from the Bellum Iudaicum, at its chronological place in the new work. In order to make this possible, he had to let Mariamme stay alive after the first incident and, as a compensation, he had her mother Alexandra killed on this occasion.

4. The correct story is found in Antiquities xv. 183ff. One of the important changes introduced into this narrative is that the death of Mariamme is only indirectly connected with the betrayal of Herod's secret order to kill her. A completely new element, a charge of high reason is introduced, which will be discussed at a later point in this study.

5. Josephus can hardly have expected that any serious student of history would believe that the three versions of the same incident, dating them in two different years, are historical and based on facts.[34]

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[34] That even modern historians accept the historicity of some of these novelets, can be seen from A. H. M. Jones, The Herods of Judaea (Oxford: Clarendon, 1938), pp. 56 and 60. It is not the novelistic-erotic character as such which makes the historicity of these incidents doubtful: it is the great difficulty to fit them into the frame in which they are found and, above all, their own contradictions and inconsistencies. The modern recognition that sex is a very vital part of life and history should not lead the student to accept all stories which are centered around this theme as historical, without applying the method of criticism which is generally approved for the study of ancient documents.

But it seems safe to say that Josephus had only a minor interest in historical facts: his main concern was the apologetic and entertainment value of his literary productions. It is for this reason that he thought it advisable to leave the old version in his text, after he had made the necessary changes. He was evidently not concerned over the fact that these changes considerably weakened the literary value of the story.

The preceding discussion assumed that Josephus found two different records of the same incident and kept both in his history. The main weaknesses of this hypothesis are these:

1. It is very unlikely that Nicolas of Damascus should have misdated the death of Mariamme and should have connected it with a wrong incident;

2. It remains to explain who the source was that yielded more accurate information than Nicolas of Damascus.

Walter Otto[35] finds a solution of both of these problems by assuming that the account in the Bellum Iudaicum is not based upon Nicolas of Damascus directly, but rather upon an intermediary source, an edition, greatly changed, of Nicolas by an "anonymous." The shortcoming of this argument lies in the fact that the Mariamme story is one of the main buttresses of the anonymous theory:

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[35] Col. 10, n.

> Die Schöpfung des H. Bildes und der Darstellungsform in bellum durch Josephus selbst würde dann ferner dessen hiervon ab weichende Haltung in den antiquitates ganz unverständlich erscheinen lassen, so muss man denn die Überarbeitung des Nikolaos einer Mittelquelle zuweisen, die eben kein anderer als der Anonymus sein kann.[35]

And:

> Vollverständlich wird dagegen das Verhalten des Josephus in den antiquitates, wenn wir annehmen, dass der Anonymous sich die falsche Datierung hat zu schulden kommen lassen, was bei seiner Umbiegung der chronologischen Darstellung des Nikolaos in die sachliche sehr leicht vorkommen konnte....[35]

All of these theories and hypotheses seem to suffer from a wrong attitude towards the working method of Josephus and other historians of his time. To assume that Josephus is everywhere dependent upon written sources, anonymous redactors, and the work of literary assistants is to reduce Josephus to a complete nonentity. It is certainly doubtful whether Josephus was the literary genius, thoroughly acquainted with a large part of Greek literature and a master of Atticistic Greek, as which he is described by Stein.[36] But to accept Thackeray's basic theory, the presence and help of literary assistants, as far as the final formulation of the material is concerned, does not necessarily

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[35] Ibid..

[36] E. Stein, De Woordenkrenze in het Bellum Iudaicum van Flavius Josephus, (Leiden Dissertation; Amsterdam: H. J. Paris, 1937).

imply that the student must completely eliminate the personality and influence of Josephus.

Josephus must not be judged merely as a historian; he must always be viewed as a historian and homme de lettres at the same time. Josephus simply did not see any contrast between accurate historical reporting, as he saw it, and an attempt to entertain his readers: after all, he had spent much money in the process of his work and expected some concrete returns.[37]

If Josephus' role as a literary man is taken into consideration, the student is freed from a desperate hunting after hypothetical sources, and at the same time he is given a better impression of Josephus the writer.

Proposed solution.-- For these reasons it is proposed that the variant accounts do not go back to different sources, but are to be explained from the working method of the author.

It is probable that Nicolas of Damascus is the ultimate source of the story, and it can be safely assumed that Herod's court historian would give an accurate date of the death of the king's favorite wife. It further seems to be clear that the account in Antiquities, xv. 183ff, where the death of Mariamme is only indirectly connected with Herod's

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[37]"For myself, at a vast expenditure of money and pains, I, a foreigner, present to Greeks and Romans this memorial of great achievements." Bell. Iud. i. 16.

secret orders to kill her and with his journey to Rhodes, is to be accepted as the one coming closest to the historical facts, although even here novelistic elements are present.

Otto is right insofar as he connects the difference in the Bellum Iudaicum with the differences in the arrangement of the material: the arrangement is according to subject matter, and not chronological. Herod's journey to Laodicea to see Antony[38] in the year 35/34 B.C. actually follows after Herod's submission to Octavian on Rhodes in the year 30/29 B.C.[39] But it is to be noted that the journey to Antony is motivated by domestic difficulties, while that to Octavian is purely political. It is natural, then, that the marital difficulties should be omitted in the latter context. In the Antiquities, where the two motifs are united, the literary value of the narrative decreases because of the continuous change between political history and the account of the personal problems of Herod. Otto assigns this change in arrangement to the "anonymous," while Thackeray, on the contrary, claims that Nicolas of Damascus had already separated the domestic drama of Herod from his public and political affairs, and that this order is maintained in the Bellum Iudaicum, while the chronological arrangement in the Antiquities goes back to Josephus.[40]

The fact that the historically more probable account is found in Book xv of the Antiquities which, according to

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[38] Bell. Iud. i. 441ff
[39] Bell. Iud. i. 387ff.
[40] Josephus, the Man and the Historian, p. 65.

Thackeray, was rearranged by Josephus and written by the Sophoclean assistant, should make the student hesitant to accept this theory. The phenomenon can be explained in a similar way if it is assumed that it is in the Bellum Iudaicum that the reader finds the widest departure from the source, Nicolas of Damascus. The presence of the same novelistic motifs, the same vocabulary and the same general tendency as in the other versions makes it doubtful that the account is to be ascribed to a third, "anonymous" source. Rather, Josephus was not interested in giving a detailed and absolutely accurate account of the reign of Herod in the Bellum Iudaicum, where Herod, after all, belongs merely to the introductory matter. Josephus did try, however, to present his material in as short and as impressive a manner as possible. One of the main events in the life of Herod was the death of Mariamme, probably caused by coldness on Mariamme's part, intrigue and slander on the side of Cypras and Salome, and unbounded jealousy and suspicion on the part of Herod. These points were important and had to be incorporated into the narrative. No one will deny that this has been done most effectively in the Bellum Iudaicum. The wrong date is, in comparison, of minor importance to anyone except a modern Quellenkritiker.

In the Antiquities, on the other hand, the life and actions of Herod are no longer introductory matter. The subject now demanded a more thorough treatment, and the much larger scope of the work allowed for a certain laxity.

It also gave the author the opportunity to retain material from the Bellum Iudaicum, even though it did not fit into the new framework. All that was needed was to introduce certain changes, where absolutely necessary. Thus the order to kill Mariamme in connection with Herod's journey to Laodicea was retained, but changed in such a way to allow for Mariamme's execution after Herod's submission to Octavian five years later. This also explains why the narrative in Antiquities xv. 65ff. is the weakest of all three, as far as literary power is concerned.

This hypothesis can be summarized as follows:

1. Nicolas of Damascus dates the death of Mariamme about one year after Herod's confirmation as king by Octavian, i.e. 29/30 B.C., as a result of court intrigues against her.

2. Josephus, for literary reasons, connects Mariamme's death directly with Herod's trip to Laodecia and his orders to kill her if he should not return. The direct cause of her death is Herod's jealousy, -- Bellum Iudaicum.

3. Josephus places the story of Mariamme's death at the correct time and separates it from Herod's journeys. She is executed on the basis of, probably false, accusations that she intended to poison Herod. Political and erotic elements are intermingled in this account. -- Antiquities xv. 183ff.

4. Josephus retains the Bellum account in the Antiquities and changes it only sufficiently to allow for the later story in the same book. These changes make the

narrative the weakest of the three. - Antiquities xv. 63ff.

5. Although the presence of literary assistants cannot be denied, the outline of the narratives, their arrangement and location are the work of Josephus himself.

Motives for including the narrative.-- Once it has become clear that the three narratives are essentially fictitious, the question arises, why did Josephus include them in his writings? In the case of the Fulvia and Paulina stories it could be shown that Josephus made use of the novelistic treatment of history for very specific reasons: he used them for apologetic ends.

In the case of these stories, however, it is difficult to discover a definite apologetic aim. Herod's domestic life was undoubtedly troubled, and it certainly stands in direct contrast to the ideals of family life that were propagated in Rome during the early imperial period. It has to be remembered that even a man like Domitian, under whom the Antiquities were written, posed as a Puritan.[41] In the Bellum Iudaicum Herod's passions appear as a supernatural force against which the king is powerless. In the Antiquities, however, the reader receives more the impression of a merely weak personality which is unable to cope with the intrigues and egotism of his harem: indeed, a very strong contrast to the ideal of a pater familias of the Roman

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[41] Suetonius. Dom.vii,viii; cf. S. Dill: Roman Society from Nero to Marcus Aurelius (New York: Meridian Books, 1956), p. 74.

tradition. With this is connected the statement in the Antiquities that Herod is not a Jew at all. His inability to be master in his own house is admitted, but care is taken that the Jewish nation is not discredited through the action of their own king.

Considerations of these may have entered Josephus' mind when he composed these narratives. But the thesis, that a novelistic treatment of history is a tool of apologetics, should not be pressed too far. The desire to entertain must have been strong in authors of Josephus' time, and the influence of this desire upon the literary product should not be overlooked. Herod in this respect resembles Alexander the Great in that he was a colorful personality which lent itself extremely well as a source and basis for "stories" and "legends."[42]

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[42] Herod the Great was not the only member of his family to receive legendary treatment in popular literature. The background of the death of John the Baptist in Mark 6: 17-29, the dance of Salome, is certainly a legendary treatment of history. It is worth noting that in this instance it is Josephus who gives the more sober account:"Josephus's version will give facts as they presented themselves to an historian who wrote sixty years later, and who was concerned to trace the political causes of a war. The story in Mark will be an account, written with a certain amount of literary freedom, of what was being darkly whispered in the bazaars or market-places of Palestine at the time...." A. E. J. Rawlinson, The Gospel according to St. Mark (Westminster Commentaries, 7th ed., London, 1949), p. 82, quoted in V. Taylor: The Gospel according to St. Mark (London: Macmillan, 1955), p. 311.

The Circumstances of Mariamme's Death

It has been pointed out above that in the Antiquities the death of Mariamme is only indirectly connected with Herod's journey to Rhodes and his secret orders to kill her if he should not return. When Mariamme learns of this order the relations between her and the king merely deteriorate, but it takes another year until the final break occurs. It is highly probable that this arrangement corresponds rather closely with the historical facts, but this does not mean that the account of her death in the Antiquities is a purely historical report: on the contrary, it contains several quite obviously novelistic elements.

Mariamme is deeply hurt by the revelations of Sohemus and unfriendly towards her husband. She accuses him of being responsible for the death of her father and of her brother. She refuses to submit to Herod's demands on her person, and Herod gets so enraged that he threatens to use force against her. Salome makes good use of this situation and sends the king's cupbearer into the room, who has been bribed to accuse Mariamme of having tried to buy his services for the poisoning of Herod. He has prepared the love potion, but has decided to inform his lord of the plot. The king begins to investigate; Mariamme's most trusted servant is tortured, but does not reveal anything beyond saying that the queen's unfriendly behavior towards her husband is caused by the revelations of Sohemus. The

The king once more believes that there were illegitimate relations between Sohemus and Mariamme and has his old friend executed. Mariamme is tried before the privy council, which, out of fear of Herod, condemns her to death. The king himself commutes the sentence to imprisonment, but Salome warns him that this act of mercy towards the traitress might cause a rebellion among the people. Alexandra tries to separate herself from her daughter and in a cowardly way betrays her. Mariamme is executed, and immediately Herod's old love for her reawakens. He simply cannot believe that she is dead. When an epidemic breaks out in the country, he explains it as a sign of God's wrath over the injustice shown to Mariamme. He suffers from a complete nervous breakdown, and his physicians almost give up hope. Alexandra tries to take advantage of this situation and attempts to lay her hands on the two fortresses in Jerusalem. Herod is informed and has his mother-in-law executed. Thereafter he is in such a depressed state of mind that he punishes every transgression most severely and has several of his relatives and friends executed.

The driving forces in this story are, once more, the king's love, jealousy, and suspicion, Mariamme's coldness towards her husband, and Salome's plots and slander. The tool of Salome's plan is a love-potion: φίλτρον and φάρμακον are frequently used. The whole plot is summed up in this

sentence: τῇ δὲ γυναικὶ κεῖνον ὑπεδίδου συναφαγῶν τοὺς οἰκειοτάτους αὐτῷ καὶ τὴν κατηγορίαν ἐστουδασμένην ποιούμενος ὑπὲρ τῶν κατὰ τὰς ἐπιβουλὰς φίλτεων καὶ φαρμάκων .43

To evaluate this story it is necessary to take account of the criticism of Nicolas of Damascus and his Tendenz, which Josephus gives.[44] Here Nicolas is accused of defending the crimes of Herod and blackening the characters of his opponents. With relation to Mariamme he is charged in particular ἐκείνης δὲ ἀσέλγειαν καὶ τῶν νεωτέρων ἐπιβουλὰς καταψεύδεται . Not a single word is said of the alleged plot to poison the king, nor of the slander which Salome spread against the queen. The execution of Mariamme was a crime, and Herod alone is blamed for it; Nicolas is guilty of trying to excuse the king.

This raises the question whether the poison plot was part of the story in Nicolas of Damascus, and whether its addition might not have to be ascribed to Josephus himself. Mariamme is charged with ἀσέλγεια in Bellum Iudaicum i. 439, and in Antiquities xv. 98, the same charge is leveled against Cleopatra. In both cases Herod considers killing the woman concerned. An attempt to poison the king represents such a monstrous crime that Nicolas would certainly have mentioned it, had he known about it, or, if it was merely a slander, a reference to it would certainly

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[44] Ant. xvi. 185.

have been made.

Otto believes[45] that the poison story was given as the official explanation for Mariamme's execution, although Herod himself did not believe it. "Mariamme ist unbedingt schuldlos gewesen; sie ist gefallen als ein Opfer des unvermeidbaren Gegensatzes zwischen dem alten Königsgeschlecht und dem neuen Herrscher, zu dem rasende Eifersucht des Mannes, der sich betrogen glaubte, hinzutrat...."

It is difficult to see why Otto, after stating the true reason for Mariamme's death, still accepts the legendary poison: "...(an den eigentlichen Verurteilungsgrund dürfte auch H.nicht geglaubt haben, -- dieser wurde vielmehr nur nach aussen vorgegehen -- ...)."

Attempts to poison the king appear as a standard subject of slanders which attempt to create ill-will between Herod and the persons against whom they are directed. The other instance is recorded in Antiquities xvi. 229-240, where Alexander, the eldest son of Mariamme, is the main victim. Here the story receives its erotic elements from Salome's further slander that Herod maintained adulterous relations with his daughter-in-law Claphyra. All the standard elements are present: Herod is said ἠττῆσθαι τοῦ τῆς Κλαφύρας ἔρωτος καὶ δυσπαρηγόρητον αὐτῷ τὴν ἐπιθυμίαν εἶναι . When Alexander

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[45] Col. 54.

hears of this he is set afire with ζηλοτυπία, he is influenced by ὑπουοιῶν.[46]

Again, Antipater has a poison prepared in Egypt, which entrusts to Pheroras, who is supposed to administer it to Herod. But, movingly enough, Pheroras repents on his death-bed and asks his wife to dispose of the poison. She does so, but keeps part of it for herself. When she is called in for an examination, she fails to use the poison, but rather hurls herself from the top of the house -- without much harm. She confesses everything to the king, who extends the scope of his investigation: πεισθέντες δὲ οἱ Ἀλεξάνδρου καὶ Ἀριστοβούλου δαίμονες ἅπαν τὸ βασίλειον ἐζηνευραί τε καὶ μηνυταὶ τῶν ἀδήλων ἐξήνεγκον τοὺς ... τῆς ὑποψίας ... ἐλέγχους[47] But this is evidently not sufficient. Bathyllus, Antipater's freeman, introduces another poison: the juices of asps and other serpents, which was to be used in case the former φίλτρον should fail to work. And once more, the chemical poison is accompanied by slander: forged letters which Antipater had prepared against his brothers Archelaus and Philip. While these incriminating investigations are held in Palestine, Antipater is in Rome and knows nothing of what is going on: τάχα καὶ τοὺς ἀποδιδράσκειν πεποιημένους οἱ τῶν ἐζητημένων δαίμονες ἀδελφῶν ἐφίμουν.[48]

A close study of all these instances makes it

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[46] Ant. xvi. 206, 207.
[47] Bell. Iud. i. 599.
[48] Bell. Iud. i. 607.

necessary to raise the question whether any or all of these alleged attempts to poison other persons are historical. Their connection with the appearance of spirits -- even if these are only a literary device -- makes the student inclined to place them into the realm of fiction. Their use as a motif, closely connected with that of slander, is too obvious to make any different conclusion probable.

If that be correct, the story that Mariamme was accused of planning to murder her husband would likewise have to be put aside as fictitious. It is an impressive literary device: although she is not a very attractive personality, this unjust slander with its tragic consequences makes Mariamme, during the last moments of her life, a truly heroic figure. This impression is deepened when contrasted with the cowardly attitude of her mother Alexandra, who completely betrays her daughter and her own past and in a most abject way tries to keep the friendship of Herod, all this to save her own life. There also enters an apologetic element in the reference to Mariamme's descendency from an ancient, noble family: αὐτὴ μὲν ἀτεκμαίνω τῷ καταστήματι καὶ τῇ χεόᾳ τῆς σαεκὸς ἀμεταβλήτῳ πεὸς τὸν θάνατον ἀπῄει, τὴν εὐγένειαν οὐδ'ἐν τοῖς ἐσχάτοις ἄδηλον τοῖς ἐπιδεωεοῦσιν αὐτὴν ἐμφαίνουσα.[49]

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[49] Ant. xv. 236.

CHAPTER VI

THE DEATH OF HEROD THE GREAT

The last days of Herod were filled with tragedy. He had to suppress a rebellion of the populace, led by the Pharisees,[1] and only five days before his own death he gave orders for the execution of his son Antipater.[2] His final sickness was extremely painful and unpleasant for those around him.[3]

Several attempts have been made to identify the disease. Otto suggests that it was cancer of the intestines,[4] and refers to an article by Merrin[5] who explains the disease as the so-called Bright's disease; the most recent serious attempt to throw light upon this particular problem is that by Perowne,[6] who consulted several specialists in Near Eastern medicine, who identify the picture of Herod's sickness, as described by Josephus, with that of "an aged arteriosclerotic -- the one-time athlete and hard liver."

Perowne quotes these medical authorities in their opinion that Josephus' description of Herod's disease is "very vivid," and no attempt can be made here to criticize

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[1] Bell. Iud. i. 645-655; Ant. xvii. 146-147.
[2] Bell. Iud. i. 661-664; Ant. xvii. 182-187.
[3] Bell. Iud. i. 656; Ant. xvii. 168-170.
[4] Col. 147.
[5] The Bibliotheca Sacra LXI, 548ff.
[6] S. Perowne, The Life and Times of Herod the Great (London: Hodder and Stoughton, 1956), pp. 185f.

this medical verdict. It must be pointed out, however, that even the vividness, perhaps even, to a certain degree, accuracy of Josephus' description must not prevent the student from examining the passage concerned from a historico-critical point of view. The most obvious fact to be remembered in this connection, of course, is that Herod the Great was not the only person of antiquity who is said to have died in the same fashion.

Wendland has pointed out[7] that the death ascribed to Herod has everywhere been <u>die Strafe der Gottlosigkeit</u>. An extensive list of references to people whose impiety was punished by their being eaten by worms is given by Wettstein.[8]

The earliest instance known is that mentioned by Herodotus: -- Pheretima is the wife of king Battus of the Cyrenaeans; after the siege of Barca, the Persians, her allies, give her authority to deal with the inhabitants as she pleases. She "nailed them to crosses all round the walls of the city. She also cut off the breasts of their wives, and fastened them likewise about the walls. The

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[7] P. Wendland, <u>Die hellenistisch-römishe Kultur in ihren Beziechungen zu Judentum und Christentum</u> (2nd and 3rd eds., Tübingen: Mohr, 1912), 330,n. 6.

[8] J. J. Wettstein: <u>Novum Testamentum Graecum</u> Amsterdam: Dommerian, 1752), II. 530ff.

remainder of the people she gave as booty to the Persians...."[9]

The appropriate punishment promptly came:

> Nor did Pheretima herself end her days happily. For on her return to Egypt from Libra, directly after taking vengeance on the people of Barca, she was overtaken by a most horrid death. Her body swarmed with worms, which ate her flesh while she was still alive. Thus do men, by over-harsh punishments draw down upon themselves the anger of the gods.[9]

Other persons of whom such a death is reported are Pherecydes,[10] Sulla,[11] and Maximianus.[12] Among the men of the Hellenistic period the outstanding examples are Antiochus IV Epiphanes,[13] Herod the Great and Agrippa I.[14]

In the case of Agrippa I it is to be noted that Josephus does not speak of the worms mentioned in Acts. He merely says that Agrippa suffered severe intestinal pains: ἀθεόου δὲ αὐτῷ τῆς κοιλίας πεοσέφυσεν ἄλγημα μετὰ σφεοδ. εόητος ἐξάμενον, which after some days caused death. Preuschen believes that he died of appendicitis.[15] Josephus reports that Agrippa was wearing a silver robe which shone brightly when the rays of the rising sun hit it. The crowd assem-

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[9]Herodotus, the History, iv. 203-205, tr. G. Rawlinson, in R. M. Hutchins, ed., Great Books of the Western World (Chicago: Encyclopaedia Britannica, 1952), VI. 159.

[10]Diogenes Laertius, Pherecydes i. 120; Claudius Aelianus, Variae historiae; Aristotle, Historia animalium, v. 31.

[11]Plutarch Sulla 36.

[12]Eusebius H.E. viii. 16. 4.

[13]II Macc. 9:9.

[14]Acts 12:23, Ant.xix. 346. On this see especially F.F. Bruce, The Acts of the Apostles (London: Tyndale Press, 1951), p. 250; and E. Haenchen, Die Apostelgeschichte (Göttingen: Vandenhoeck & Ruprecht, 1956), pp. 338ff.

[15]E. Preuschen: Die Apostelgeschichte (Handbuch für Neues Testament, IV.1; [Tübingen: Nohr, 1912]), 79f.

bled for the festival greeted the king as a god. Agrippa neither repudiated the title nor rejected the flattery. Some time later he noticed an owl sitting above his head and recognized it to be a messenger of evil: ἄγγελον κακῶν εἶναι.[16]

In the Acts Agrippa receives a deputation from Sidom and Tyre who came to ask him for peace. At the time arranged for the interview, Agrippa put on his state robe and addressed the ambassadors. The people cry that this is the voice of a god, not of man. "But the angel of the lord struck him down immediately, because he did not give the honor to God; and he was eaten by worms and died."[17]

It is agreed that in their basic outline both accounts refer to the same event. The differences are great enough to make any literary dependency of Luke upon Josephus improbable.[18] Bruce quotes the summary given to the problem by E. Meyer:

> In outline, in date, and in the general conception, both accounts are in full agreement. By its very interesting details, which are by no means to be explained as due to a"tendency" or a popular tradition, Luke's account affords a guarantee that it is at least just as reliable as that of Josephus.[19]

It is difficult to see what exactly Meyer means with the words "just as reliable as...Josephus." Bruce seems to

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[16]Ant. xix. 346.
[17]Acts 12:23f. (Goodspeed's translation).
[18]A. C. Headlam, "Herod," in J. Hastings, A Dictionary of the Bible (New York: Scribner's, 1899), II, 360.
[19]E. Meyer, Ursprung und Aufänge des Christentums Stuttgart & Berlin, 1920-23), III, 167f., quoted in Bruce, p. 18, n. 1.

take it as a support for its reliability; he is anxious to defend the Acts against the charge of being not truly historical. But it is very doubtful, indeed, whether Josephus is historical in the modern sense. Neither the owl nor the angel are motifs which a modern student would be willing to use. They are nothing but confirmations of the statement that Agrippa died of a death which is reserved for the enemies of God.

In this light the death of Herod the Great, as recorded in Josephus, has also to be viewed. It is not at all surprising to find the last hours of Herod as painful as described, and to see his body eaten away by worms. This end is to be expected after all that the reader of Josephus has been told concerning the king of Judaea. He was an impious man, an enemy of God and his chosen people. He was an ally of the gentile enemies of the Holy Land, he spent money taken from pious Jews for the construction of Pagan temples and the financing of immoral festivals. It is probably useless to try to extract much valuable information from Josephus on the fatal disease of Herod. His death follows a pattern of moralistic-literary thought which has been shown in other passages of his life in Josephus.

As Otto has pointed out,[20] Herod's enemies will very

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[20] Col. 147.

soon have elaborated upon the loathsome aspects of his disease, and it would be difficult to discover the historical kernel.

Another strange aspect of Herod's death is the assembly of Jewish nobles in the hippodrome at Jericho.[21] According to Josephus, Herod wants to secure a genuine mourning all over Palestine after his death. He knows that his departure will not be regretted. He intends to have all these Jewish nobles killed immediately after his own death and thus to cause real grief in the hearts of the Jews. In one place it is even stated that one person out of every family should be slain.[22]

Wellhausen has completely rejected the whole story.[23] W. Otto tries to reinterpret it in a different way.[24] He believes that Herod intended to keep the assembled Jews as hostages in order to secure a peaceful change of government after his death. He would thus have been mindful until his last moment of his greatest task assigned to him by the Romans: to keep peace in his country. Salome attempted to spoil these plans of Herod and to cause difficulties for the new government: it is for this reason that she both told the assembly of Herod's alleged plans of murder, and set them free.

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[21] Bell Iud. i. 659f.; Ant. xvii. 173-179. 193.
[22] Ant. xvii. 181.
[23] p. 338, n. 2.
[24] Col. 148, n.

It seems legitimate to question this very ingenious theory of Otto's. The consideration of Herod is in direct contrast to his cruelty displayed towards the leaders of the Pharisaic rebellion and his own son. If his disease was as painful as Josephus says it was, and as medical authorities suggest, it would be strange, indeed if during his last days he still displayed such mastery of government, especially in such an act of moderation.

In more than one way the order to kill one member out of every Jewish family resembles the one recorded in Matthew, according to which all male children below two years of age in Bethlehem were to be slain. It definitely indicates a mind that has lost all power of clear thinking. And it seems that this is exactly what Josephus intends to show. It is orders like this that make Herod the detested enemy of the Jewish nation and cause the Lord of justice to afflict him with a loathsome disease and to punish him with a painful death.

If that be true, we have in the description of this order, given in great detail, another literary device to depict a cruel king. This hypothesis is strengthened by the fact that exactly the same order is ascribed to Alexander

Januaeus in the scholic to Megillat Taanith.[25]

Although Herod's alleged order was never executed, it seems that Josephus' report of it has fully served the same purpose: Herod has entered history as a representative example of a cruel tyrant, a man who was evidently able to commit any, even the most abominable crime.

It is only through a careful study of the literary forms in which the record has been handed down to the present time that the student can hope to clear away some of the misunderstandings which remain even after many years of a most thorough historical and textual and source-critical study.

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[25] W. Otto, Col. 148. "Tätsachlich hat die pharisäische Legende, ..., die Notablenversammlung im Theater mit den Gefangenen im Hippodrom zusammengeworfen. Als Salome mit ihrem Sohne Antipater nachher in Rom gegen Archelaos hetzte, hat Antipater gerade die Freilassung jener Gefangenen dem Kaiser gegenüber als eine der Verfehlungen des Archelaos betont, ...; das konnte er doch unmöglich tun, wenn seine Mutter mit noch viel weniger Berechtigung Inhaftierte befreit und sich dessen gerühmt hätte. Die ... Variation der Legende, bei der nicht Herodes und Salome, sondern Jonathan-Alexander und Salome-Alexandra die Träger der Handlung sind, ist insofern wenigsten besser erfunden, als die Königin die Möglichkeit der Freilassung hatte. Glauben verdient sie auch sonst nicht mehr." H. Willrich, Das Haus des Herodes (Heidelberg: Winter, 1929), pp. 183f.

CHAPTER VII

A COMPARISON OF BELLUM IUDAICUM ii. 119-166 WITH ANTIQUITIES xviii. 11-25

In the preceding chapters several instances of the occurrence of novelistic elements in the writings of Flavius Josephus were discussed. M. Braun has shown that the Biblical paraphrase of Josephus contains erotic-novelistic elements which are absent in the source material, the Old Testament. The labors of Hölscher, Schürer, Otto, and Thackeray have further shown that the writings of Josephus are highly varied in style, character, and contents. This fact is generally explained by the presence of two phenomena, which had their influence upon the composition of the entire literary output of Josephus: the use of different source material, much of which can be identified, and the employment of several literary assistants, two of whom Thackeray has been able to identify and isolate.

Throughout this varied, large body of literary material one element only is found in practically all the different parts of it, even in sections which have been shown to be derived from different sources (which usually do not contain that particular element), and in sections ascribed to different assistants. It would be possible to draw from this the conclusion that obviously the novelistic element must be the work of the one person who exerted his

influence upon the entire work, namely Josephus himself. And certainly this conclusion would be valid if the insertion of novelistic-erotic passages into larger historical works had been a rare or unusual literary device during the first century of our era. That this is not the case has been shown during the discussion of the several instances of such passages in the preceding chapters. If, then, the use of Novelistic elements was common in the late Hellenistic period, even a writer of such poor style as Thackeray has shown the Thucydidean hack to be, would be able to make use of them. Since most of the passages discussed in this study occur in sections which are generally ascribed to the hand of this Thucydidean hack, it becomes necessary to investigate the question whether it might not have been this man who is responsible for these novelistic features. If it could be shown that even this man, by the consensus of most Josephus students the least talented of the assistants, could use such features, then it would be impossible to assign the novelistic passages throughout the works of Josephus to any other author, since the other assistants could have used this literary device as well.

If, on the other hand, it could be shown that the so-called hack was not interested in novelistic-erotic elements and made no use of them, even if he found them in his sources, then it could be reasonably argued that it was Josephus himself who inserted these passages in the sections

ascribed to the hack, and, further, that, in view of the similarity of motifs and, in several cases, identity of phraseology and vocabulary shown in the preceding pages, Josephus was responsible for most or, possibly, all of the novelistic passages in his work.

Any comparative study of literary material must, if it is to yield acceptable results, be based on some sections which in contents and length allow comparison, either through similarity or through contrast. The writings of Josephus frequently cover the same material twice in different books. This is true of the early history of the Jews, their Law, and the life of Herod the Great. A part of the discussion of the Jewish nation and their customs and institutions is the account of the several sects found among the Jews, which also is found in two versions. The earlier and, by far, the longer account is given in the Bellum Iudaicum ii. 119-166, the second one in the Antiquities xviii. 11-25, where a direct reference is made to the former account; καὶ τυγχάνει μέντοι περὶ αὐτῶν ἡμῖν εἰρημένα ἐν τῇ δευτέρᾳ βίβλῳ τοῦ Ἰουδαϊκοῦ πολέμου, μνησθήσομαι δ' ἄμως καὶ νῦν αὐτῶν ἐπ' ὀλίγον.[1] It seems to be safe to assume that the second account is based on the first, and that the person who composed it had the earlier section before him. His task, according to the reference, was to summarize the former account for those readers of the

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[1] Ant. xviii.11.

Antiquities who had not read the War.

According to Josephus himself,[2] he had the help of literary assistants in the composition of the Greek version of the War, although so careful and thorough a student of style as Thackeray was not able to distinguish the hands of the several assistants.[3] He characterizes their influence upon the work with these words:

> At any rate the immense debt which the author of the Jewish War owes to these admirable assistants is apparent on almost every page. Among other excellencies, the work contains a large and choice vocabulary -- not confined to military terms -- peculiar to itself, or but rarely represented in certain parts of the Antiquities.[4]

As long as the Semitic original of the Bellum Iudaicum remains unknown, it is difficult to determine the exact amount of help which the assistants rendered Josephus in this work. If, as it seems probable, in the War their task was mainly to transfer the Semitic original into correct Greek, the contents of the work are, for the most part at any rate, the responsibility of Josephus himself. It is to be noted that the work of the assistants differed in the War from that in the Antiquities. In the former the collaborators had before them a complete work which the author had already published, while in the Antiquities this was not the case; here they seem to have had more freedom.

The account in the War fully justifies the verdict

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[2] Vita §38.
[3] Josephus, the Man and the Historian, p. 106.
[4] Ibid., p. 105.

of Thackeray's on the work of the assistants in this book. The style is elegant, the narrative interesting and smooth. The reference to the Greek concept of the Isles of the Blessed[5] seems to be an allusion to Hesiod.[6]

The main attention is given to the Essenes, whose customs, rules, teachings, and way of life evidently made them the most interesting of the Jewish sects. Their discipline and simplicity of life are emphasized and discussed in great detail. For the particular interest of this study it is worth noting that the author mentions twice their rules and views concerning marriage. In both instances the text becomes rather detailed:

> They... regard... the control of the passions as a special virtue. Marriage they disdain.... They do not, indeed, reject marriage and, by its means, the propagation of the race, on principle, but they desire to protect themselves against women's wantonness, since they are convinced that none of that sex remains faithful to one man.[7]

The second passage[8] discusses a schismatic group of Essenes who differed with the main body in their views on marriage. In spite of a textual difficulty[9] it seems clear that these people contracted marriage for the sole purpose of securing offspring. The women are subject tp a period

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[5] Bell. Iud. 11.156.

[6] Works and Days, 170ff.

[7] Bell. Iud. ii.120-121. Could this, in part, reflect Josephus' personal experience? He was married at least three times; he was deserted by one wife and himself divorced another. Vita.415,426f.

[8] Bell. Iud. 11.160-161

[9] The ἐπειδὰν τεὶς κάθαρσιν εἰς πεῖραν τοῦ δύνασθαι τίκτειν hardly makes any sense; the Latin was constanti purgatione.

of probation, and no intercourse takes place during pregnancy: ἐνδεικνύμενοι τὸ μὴ δι' ἡδονὴν ἀλλὰ τέκνων χρείαν γαμεῖν. The section ends with the statement that in the bath the women wear a dress, the men a loin-cloth.[10]

It is true that these sections hardly deserve to be called novelistic in character; they are not, the author merely gives some information concerning certain groups of people. But it cannot be denied that this interest in the sexual habits of a religious community indicates that the author thought this particular aspect to be important enough to be included in his narrative. It is this same attitude of mind which would induce an author to introduce erotic-novelistic elements into his narrative where its general character made this possible. It was noted before that the paraphrase of the Bible that is found in the earlier parts of the Antiquties introduces erotic elements into sections where the source lacks them entirely. We thus have evidence of the presence of a person who is particularly interested in this aspect of human life.

The account of the Jewish sects in the Antiquities can be shown to be from the pen of the Thucydidean hack.

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[10]An information which may seem unimportant but was, because it differed from the Greek habit, of interest to the Gentile readers.

Besides the Thucydidean spelling of πεύσσειν,[11] ἐλασσόνους[12] and ἐς,[13] the passage contains the form ὀπόσα[14] which Thackeray[15] has shown to be typical for this writer.

The explicit reference to the account in the War makes it almost certain that the hack had it at his disposal when he wrote his version of it. A comparison of the two sections leads to the following results.

The introductory paragraph in the War mentions the sects in this order: Pharisees, Sadducees, Essenes;[16] while the Antiquities give them in the sequence Essenes, Sadducees, Pharisees.[17] The latter work follows the sequence of the introduction in the War in its actual discussion of the groups, while the War treats them in the order Essenes, Pharisees, Sadducees.

The following table gives the number of paragraphs devoted to each of the sects in the two works, together with their respective percentages of the whole narrative.

Sects	Bellum Iudaicam		Antiquities	
Essenes	42 sections	89.36%	5 sections	45.45%
Pharisees	2 "	4.26	4 "	36.36
Sadducees	3 "	6.38	2 "	18.18
	47 "	100%	11 sections	100%

[11] Ant. xviii.13,17.20.
[12] Ant. xviii.24
[13] Ant. xviii.19,21.
[14] Ant. xviii.15.
[15] Josephus, the Man and the Historian, p. 112.
[16] Bell. Iud. ii.119.
[17] Ant. xviii.11.

In comparing the length of the several accounts in the Antiquities with that in the War, the following precentage figures of increase or decrease, respectively, are gained:

Essenes	- 43.91%
Pharisees	+ 32.10%
Sadducees	+ 11.80%

It is obvious that to the author of the section in the Antiquities the Essenes are of far less relative importance than to Josephus, who wrote the earlier account in the War. This is important for the present study because it is the account of the Essenes in the War which exhibits such a strong interest in the sexual habits of the members of this sect. If the Thucydidean hack had been particularly interested in this aspect, he would have incorporated these sections into his own account. However, this is part of the earlier narrative which is especially abridged. The two long paragraphs in the War, discussed above, are reduced to one part of one sentence: καὶ οὔτε γαμετὰς εἰσάγονται οὔτε δούλων ἐπιτηδεύουσιν κτῆσιν, τὸ μὲν ἐξ ἀδικίαν φέρειν ἀπειληφότες, τὸ δὲ στάσεως ἐνδιδόναι ποίησιν, κτλ.[18]

The work of the Thucydidean hack in this section, then, consisted of a radical abridgment of the original account, including the elimination of all erotic elements, and the introduction of the mannerisms peculiar to his style.

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[18] Ant. xviii.21.

It cannot be said that this activity of his has made the account any clearer to the modern student. Such a grammatically difficult construction as paragraph 19 has brought forth numerous attempts of students to explain what exactly the text says concerning the sacrifices of the Essenes; so far without any convincing success.

Under these circumstances it seems legitimate to say that a man who eliminates erotic elements in his reproduction of source material which contains them, is very unlikely to be made responsible for the introduction of such elements into narratives the sources of which lacked them. Neither should he be credited with the skilful use of erotic-novelistic elements for apologetic purposes,even if it has to be granted that it does not necessarily take a personal religious conviction to write an <u>apologia.</u> The present study of the treatment which a lively, interesting narrative received at the hands of this scribe seems to justify the name of "hack" which he received from Thackeray, and seems to exclude him as the man responsible for the novelistic elements in the sections ascribed to him.

CONCLUSION

In the preceding pages an attempt has been made to discuss some of the most outstanding examples of a novelistic treatment of history that can be found in the writings of Flavius Josephus. It was proposed to examine the occurrence of such passages, to look for certain elements that might be in common to several of them, and to see whether the use of novelistic elements can be ascribed to any specific purpose which the author seems to have in mind.

The present study deals only with those parts of Josephus which are concerned with the Jewish history of the post-Maccabean period. M. Braun has extensively treated the novelistic aspects of Josephus' paraphrase of the Biblical narrative. He followed the suggestions made by Paul Wendland[1] in an address before the University of Göttingen in 1911. Braun proved, it would seem, conclusively, that Josephus frequently changes the Biblical original of his narrative and introduces novelistic-erotic elements. He does this in spite of his avowed fidelity to the sacred text and his promise to leave it unchanged. Braun's work is especially valuable because it is based upon those passages

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[1] P. Wendland, De fabellis antiquis earumque ad Christianos propagations, (Progr. Göttingen: Dieterich, 1911), pp. 11ff.

of Josephus of which the Bible is the only known source. No intermediate source has been claimed by modern scholars, and any changes introduced have to be assigned to Josephus himself.

For the later sections of Josephus several sources have been identified, and some further intermediary sources have been claimed by various modern scholars. Although only a limited number of passages with novelistic elements have been discussed in this study, these passages are found in sections of Josephus which have been assigned both to different sources, intermediary sources, and literary assistants. The following table gives a summary of the passages discussed and their supposed origins.

Passage		Source	Literary assistant
Paulina	Ant.xviii.66-80	?	"Thucydidean"
Fulvia	Ant.xviii.81-84	?	"Thucydidean"
Portrait of Mariamme	Bell.Iud.i.438-40	Nicolas of Damascus	"Sophoclean"
Portraits of Mariamme and Aristobulus	Ant. xv. 23-38	Nicolas of Damascus	"Sophoclean"
Death of Mariamme	Bell.Iud.i.441-44	"Anonymous"	"Sophoclean"
Order to kill Mariamme	Ant. xv. 65-87	--	"Sophoclean"
	Ant.xv.182-208	Nicolas of Damascus	"Sophoclean"

Passage		Source	Literary Assistant
Death of Mariamme	Ant. xv. 213-15	Nicolas of Damascus	"Sophoclean"
Death of Herod	Bell.Iud. 1.665	Nicolas of Damascus	"Sophoclean"
	Ant.xvii. 195	Nicolas of Damascus	"Thucydidean"
Arrest of Nobles	Bell.Iud.i.659f	Nicolas of Damascus	"Sophoclean"
	Ant.xvii.173-79	Nicolas of Damascus	"Thucydidean"

In the table on page 91 it was shown that certain motifs and even words occur again and again in different sections, based on different sources, from the Bible to Nicolas of Damascus. The discussion of the relations between Herod and Mariamme showed how the motifs of love, jealousy, and suspicion, sometimes combined with slander, dominate all the passages concerned.

Josephus, in contrast to the Pagan authors dealing with the same topic, introduces strongly erotic elements into his discussion of the religious persecutions in Rome in A.D. 19. It seems clear that he does so for apologetic

reasons: he thus affirms that the rumors concerning the immoral practices of the Isis priests are correct, while in contrast to this, there is no foundation for similar charges against the Jews. If any crimes are committed by Jews, this is done by persons outside the true community of believers, and the crimes are of a non-erotic nature. Josephus' skilful use of the novelistic treatment of history thus makes him a very persuasive apologist for his own nation.

The death of Herod the Great is, as a comparative study of its description in Josephus show, another example of the novelistic element in the writings of this author. Not much of the material seems to be original; it follows quite closely the pattern common for the description of the death of people who have proved themselves to be enemies of God.

A different aspect is introduced in Herod's alleged plan to have one member of every Jewish family killed after his own death. Against W. Otto, it seems necessary to deny the historicity not only of this order, but also of the internment of the Jewish leaders in the hippodrome in Jericho. The story appears to be of the same legendary pattern as the account of the Massacre of the Innocents of Bethlehem in the First Gospel.

Not all of the passages discussed are necessarily erotic in character, although definitely erotic patterns were found in the Paulina story, the accounts of the alleged orders to kill Mariamme and the execution of Mariamme. Other

passages, such as the Fulvia story, and the account of the death of Herod the Great are non-erotic, but nevertheless novelistic-unhistorical in character.

As Braun and the present study show, the same pattern of novelistic treatment of history is found in all parts of the writings of Josephus, based on various different sources and possibly actually penned by various literary assistants. It has also been shown that, where the source is extant, the erotic-novelistic elements are lacking. A comparative study of the two descriptions of the Jewish sects in the War and the Antiquities shows that the Thucydidean hack, who is the author of the latter passage, eliminated the strongly erotic elements in his source and thus shows his lack of interest in these features. It is safe to conclude, therefore, that they were introduced by Josephus.

The present study concludes that Josephus can justly be called the author, in the true sense of this term, of the works ascribed to him: even when he borrows and even when he uses assistants, he impresses his own personality upon his work. In opposition to Stein it seems necessary to maintain, in basic outline at least, most of the extremely careful stylistic study of Josephus which Thackeray conducted in connection with his work on the Lexicon and the Loeb edition of the Jewish historian. However, Thackeray

went too far in saying that the literary assistants are fully responsible for whole books in the works of Josephus. The text as we have it today is probably largely due to them, but the contents of the work are definitely the creation of Josephus himself. The presence of the same novelistic pattern in widely different sections, assigned to different assistants, make it improbable that they are their creators. It is submitted, therefore, that Josephus, although he used literary helpers for matters of style, must be called the author of his work in the true sense of this term. In this respect it makes no difference whether the methods used by him serve for apologetic ends or merely to entertain the audience.

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